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THE RIGHT HON^BLE JOHN LORD SOMERVILLE,

LORD OF THE BED CHAMBER TO HIS MAJESTY KING GEORGE III^D,

Colonel of the West Somerset Regiment of Yeoman Cavalry,

President of the Board of Agriculture &c. &c. &c.

London Published by Longman, Hurst & Rees 1^st May 1815.

Printed by J. Swan

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MEMORIE

OF

The Somervilles;

BEING

A HISTORY

OF THE

BARONIAL HOUSE OF SOMERVILLE.

BY

JAMES,

ELEVENTH LORD SOMERVILLE.

IN TWO VOLUMES.

VOL. I.

EDINBURGH:

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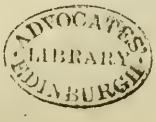

DIRECTIONS FOR PLACING ENGRAVINGS.

VOL. I.

Frontispiece.

The Right Honourable JOHN LORD SOMERVILLE, Lord of the Bed-chamber to his Majesty King George III., Colonel of the West Somerset Regiment of Yeomen Cavalry, President of the Board of Agriculture, &c. &c. &c.

Page 45.

Rude sculpture over the porch or entrance of the Kirk of Linton, illustrative of the event which gave rise to the crest borne by the family of Somerville.

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Linton Kirk, in the county of Roxburgh, being the parish church belonging to the original estate held by the Somerville family in Scotland.

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View upon the Tweed, looking down the river towards the Carrowell and the Noirs, two celebrated salmon casts in the river Tweed, with the woods and farm-house of Langlee, be-

tween the towns of Galashiels and Melrose, the property of the Right Hon. Lord Somerville. The rock in the centre of the river in the fore-ground was the cause of a sad loss of lives: About 80 years ago, the ferry-boat, full of people going to Melrose fair, broke from its moorings, and was split to pieces on it. Twenty people were said to have been carried away by the current and drowned; ten saved themselves by hanging to the mane of a horse: this powerful animal landed them all in safety.

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Carnwath Chapel, in the county of Lanark.

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The ruins of the Castle of Cowthally, anciently the baronial seat of the house of Somerville, in the shire of Lanark.

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Ancient Monument in the old Chapel of Carnwath, being probably that of Hugh Lord Somerville and his lady, Dame Janet Maitland, who died in or about the year 1550.

TO

THE RIGHT HONOURABLE

JOHN, LORD SOMERVILLE,

THIS EDITION

OF

The Memorie of the Somervills,

PUBLISHED FROM THE MS. OF HIS LORDSHIP'S ANCESTOR,

IS INSCRIBED

BY THE EDITOR,

WITH THE MOST SINCERE GOOD WISHES
FOR THE PROSPERITY OF THE HONOURABLE FAMILY TO WHOM THE
WORK REFERS; AND MOST PARTICULARLY FOR THAT
OF THE PRESENT REPRESENTATIVE.

PREFACE

TO THE

MEMORIE OF THE SOMERVILLS.

In the following Memoirs the reader is neither to look for accuracy of historical fact, nor for elegance of style. The author appears to have compiled his family history chiefly from the traditions he had received from his ancestors, with the slender assistance derived from the labours of Godscroft and Drummond of Hawthornden; and his style is of such prolixity as has seldom been equalled. The more ancient part of his narrative is particularly deficient, and some pains have been bestowed in correcting the more obvious errors, by comparing

the Memoirs with other sources of evidence. But with all these defects, and affording, besides, many specimens of error and of prejudice, these Memoirs have a claim upon the investigators of ancient manners and ancient history. The manners of former times are at least as legitimate objects of curiosity as the precise detail and dates of historical events, and though a narrative of this nature may be occasionally deficient in point of accuracy, it seldom fails to preserve much curious detail beyond the sphere of proper history. Traits of manners, and the personal anecdotes by which they are exhibited, are indeed the natural subjects of oral tradition, more particularly when they gratify the conscious pride of ancestry in those by whom they have been transmitted from father to son. To this, among some dull and heavy details, we are indebted for much that is lively and diverting in the present narrative.

The anecdotes of the spits and raxes, of the infare, or marriage-feast at Cowthally Castle, of the scene between Lord Somerville and the regent Morton, of the fatal death of the one brother by the other's hand, and many other passages in these Memoirs, convey a curious and lively picture of the Scottish manners at this early period. The style, habits of thinking, even the prejudices of the narrator, have their effect in adding an air of naiveté and originality to his history. He has, indeed, permitted himself, in the ardour of his zeal for his own family, to make some severe remarks upon the conduct of others, which the Editor has sometimes thought it necessary to notice, where they appeared to him founded in misconception or animosity. But, generally speaking, and allowing for the author's high tory prejudices, and his irritating situation as the representative of an ancient and honourable family, rendered incapable for the

time of supporting the rank to which he was justly entitled, his opinions upon men and events are sufficiently liberal and impartial, and form an accurate and original specimen of those of an ancient Scottish baron of the 17th century.

To such as are contented to trace, in the history of an individual family, the effects of the mutability of fortune, to which kingdoms and empires are equally subject, the Memorie of the Somervills will furnish subject of observation and reflection. The original division of the house of Somerville into the English and Scottish branches proved, after the lapse of many centuries, a considerable means of restoring the fortunes of the family to a pitch becoming their dignity, when, upon the death of Somerville the poet, his English estates, the remnants of the property acquired at the Conquest, were vested in the thirteenth Lord Somerville. Again, the breach between the

baronial house of Somerville and their too powerful cadets, the Barons of Cambusnethen, tended at one time to separate from the title their property in Mid-Lothian; and yet at length, by an extraordinary contingence, threw not only that estate, but the manor-place of Cambusnethen itself, into the possession of the representative of the family. And, without further tracing particular occurrences, the whole Memoirs present the picture of a family raised to a high point of power and eminence, by a succession of men of valour and patriotism, then sinking into obscurity through ill-advised prodigality and family dissensions, and at length again elevated to the fortune becoming their rank by the good fortune and prudence of an individual representative. These are events on which both the prosperous and the unfortunate may dwell with a wholesome sense of the vicissitudes of human affairs, and a veneration for the

decrees of Providence, distinguished as much in the incidents affecting families and individuals, as in the revolution of nations.

The present limited edition of the Memoirs of the House of Somerville is published from the original, a closely-written manuscript, in two folio volumes, the property of the present noble representative of the family. By his lordship's liberality, the work has been adorned with engravings, from sketches by Mr Wilson, representing the ancient monuments and edifices alluded to or described in the manuscript.

THE

PREFACE OR INTRODUCTIONE

TO THE

MEMORIE OF THE SOMERVILLS;

BY WAY OF ANE EPISTLE TO MY SONES. ANNO 1679.

Pr. Adv. Lib. Edin.

MY SONES,

It was my great happynes to be begotten and borne of Christian parents, baptized in the Christian faith, and brought up in the protestant professione, under the church governement of a moderat episcopacie, with a due subordinatione of presbiterie, warrantablie established from the word of God, and by the power and authoritie of king and parliament then in being, as it is at this present confirmed and settled by his present majestie, King Charles the Second, whom God ever preserve and keep safe from all his enemies,

that ther may never want a man of that name and familie to sway the scepter of Brittaine and Ireland, so long as sun and moon abides in the firmament. Under whose royall predecessors and governement, both in England and Scotland, the sirname of the Somervills, (in the houses of Whichenour, Lintoune, and Cowthally, the first in England, in the countie of Staffordshyre, the second in Scotland, in the shirrefdome of Clidsdaill, though at first setled at Lintoune and Newbigging, the one in the shire of Roxburgh, the other a toune within the barronie of Carnwath in Clidsdaill, for these sex hundereth years and upwards,) has now continued by the mercy and goodnes of God to this day. Albeit they have been subject, as all human occurrences are, to severall changes and alterationes in their conditiones, families, and habitationes, being transmitted from one to another as ther fortunes bettered or diminished in the ages wherin they lived. The lineall successione, notwithstanding, still remaineing from father to sone, or from brother to brother, in the severall generationes of all the houses or families that represents them at this day, as shall be made evident from the discourse of ther Memories, which, without complementing the world, I have undertaken to sa-

tisfie myself and my posteritie more than strangers, though it were to be wished that all the ancient and noble families in Scotland wer first able and then willing to give as true ane account of ther progenitors as I have done of mine; for to speak the truth, most of them are litle beholden to our historians, and that because of the ignorance of the ancient wrytters of our histories, and the malice of the moderne, who wryte as they affected aither men or parties, as is too evident from the nakednes and defects of the first, and the partialitie of the later, of whom, as to the particulars of my oune familie and name, I have no great reasone to complean, seing both wryte very honorably of them, as you may read in the church and state histories of both kingdomes.

That which prevailled most with me to follow this designe in collecting the memories of my predecessors, (which lyes partly in the beforementioned histories, but mostly in ther oune charters and those of ther vassalls, which I have perused with the writts and evidences of other noble families, with whom the house of Cowthally did match themselves,) was the apprehensione and hopes I have that nothing prevailles more with generous soules to perswad them to

glory and virtue, then to know that they aither represent ancient families themselves, or are descended from worthie parents, cadétes of such who, by some remarkable and memorable actione for ther prince or countrey haveing signalized themselves, therby acquyred honours and estates which eftirward they transmitted to their posteritie, and the same continueing for a long tract of tyme, confirmed them in ther greatnes above others. This being the conditione of your familie, and these the reall ends of this my addresse, I am confident, by reading the memories of your predecessors, you will doe vertueously, and study to be imitators of ther praise-worthy actions.

Neither let it trouble you what the malice of some may object, that few of your name and familie attained to great places in the state, or wer eminent above others in the court or camp, for the alleadgeance is false, and it is ther ignorance of tymes and persones that makes them speak soe, for in both kingdomes our sirname attained to great honours and places in the court and camp; albeit they wer not natives of either of these kingdomes, but Normans by extractione. The first that came into England being Sir Gualter de Somervill, a Norman knight, who, for assisting King William the Conqueror in his con-

queis of England, for that service had the lordship of Whichenour, in the countie of Staffordshyre, conferred upon him and his posterity, which remained with them, besydes the acquisitione of many other barronies and lands in the same, and severall other counties in England, for three hundered years, untill the twentie-nynth year of Edward the Third's reigne, at which tyme, upon the twentie-third of January, 1356, dyed Sir Philip de Somervill, shirref of Buckingame and Bedford counties, who, leaveing no aires male to succeed him, his inheretance was transmitted, by right of his two daughters, to the families of Sir John Greifford, the Staffords, afterwards Dukes of Buckingame, and to Edmond Vernour, who marryed a grandchylde of Sir Phillips, likewayes ane heiress, dureing all which space of tyme, from the reigne of William the Conqueror to the twentie-nynth year of Edward the Third, some one or other of that house, name, or familie, wer imployed in ther princes or countries service, and wer honourably rewarded for the same.

As for ther preferment in Scotland, it was allmost so soon as they set ther foot into it; witness Sir John Somervill's being knighted by King William, sirnamed the Lyon, in the nynth

year of his reigne, *anno* 1174, at which tyme the sirname of Somervill setled themselves in Scotland, by Sir John Somervill haveing the barronie of Lintoune, in Roxburghshyre, conferred upon him by that king's gift, for killing a serpent, (or a monstrous worme, as we have by traditione from the vulgar) which shall be declared more fully in his memorie. From this noble gentleman, Sir John of Lintoune, as the fountain and originall, are descended the whole name and familie of the Somervills that at this present are in Scotland. What ther preferments in particular wer in this kingdome is not so evident in the publick records as they are in England, however some we have certane, others upon conjectures. Rodger Somervill, elder brother to Sir John of Lintoune, being bred a schollar in France, was preferred to be Bishop of Saint Andrewes, and is the twentie in the catalogue, though not expressed by sirname, (as few or non of our bishops before the reign of King Robert the Bruce.) This man, Rodger de Somervil, is supposed to have been Chancellor of Scotland, in the twentie-fourth year of the reigne of King William, sirnamed the Lyon, *anno* 1189. Although it be true, that neither this man nor Tousett, a man but of mean extractione, who

was the first Lord Chancellor of Scotland in the reigne of Conranus, *anno 535*, nor yet Angleramus, the fyfth Bishop of Glasgow, and second Lord Chancellor; Hugo the Third, and this Rodger the Fourth, are mentioned in the catalogue of the chancellors of this kingdome, for they begin with William Melvisius, the nynth Bishop of Glasgow, *anno* 1198, and yet it is certane, from our recordes, ther was chancellors neer seven hundereth years before that tyme in Scotland, but our historians are defective in ther relatione in this, as in several other particulars, relateing to antiquitie.

As in the church and state, soe in the camp, wee find Sir Gualter Somervill of Newbigging, and Sir David his sone, (both knighted by Alexander the Third) in the interregnum, were very active in the behalf of their king and country, and had the honour to command the third bragad of horse at the battell of Biggar, under the conduct of that miracle of valour, William Wallace,[1] as eftirward Sir John Somervill, Barrone

[1] For this exploit, as indeed for the battle of Biggar itself, there is no other or better authority than that of Blind Harry, whose order of battle is thus marshalled :—

> The hall they left, and to a plain are gane,
> Wallace himself the vanguard he has tane;

of Lintoune and Carnwath, (second sone to Sir Gualter, and brother to Sir David) commonlie designed in these days Sir John of Clidsdaill, in imitatione of his father and brother, magnanimously listed himself a follower of King Robert the Bruces, constantly adhereing to his and his sones interests, being in person with King Robert at the battell of Meffin-wood, neer to Perth, where, with several others of those few barrones that was there, it was his bad fortune to be taken prisoner at that tyme. By any calculatione I can make, he was scarce twentie-four years of age; as in this, soe in severall other encounters, in favours of King Robert and his sone King Davids interests, he so signalized himself, that his manhood, as weill as his birth and fortune, procured to him the eldest daughter of Sir James Douglas of Loudoune-hill, with whom he gott

---

With him was Boyd and Auchinleck but dread,
With a thousand of worthy men in weed;
As many syne in the midward put he,
Sir John the Grahame he gart their leader be;
With him Adam, young Lord of Richardtoun,
And Somervel, a squire of great renown.
The third thousand in the rereward he dight,
To Wálter gave, of Newbigging the knight;
With him Tinto, that doughty was in deed,
And David, son of Sir Walter, to lead.

the lands of Carnwath, as being the only daughter of that gentleman's first marriage. Thir lands of Carnwath was eftirward erected in a barronie by King David Bruce. Without farder contending about this matter, it was not upon a court complement, but upon some speciall and particular service, that this man's grand-chylde, John Barrone of Lintoune and Carnwath, haveing receaved summonds from the king, was, as is beleived by some, nobilitat by Robert the Third, at the first parliament holden at Perth, *anno* 1396, in which that king created his eldest sone Duke of Rossay, and his oune brother, then Earle of Fyff, Duke of Albanie: these being the first dukes that wee had in Scotland, and the occasione soe extraordinary, it is not to be doubted but John, then made Lord Somervill, was a great courtier, and deserved very weill at his majesties hands, to be so highly dignified above any of his predecessors, for honours then as now was not mercenarie. It is true, this John Barrone of Carnwarth took not the title of a Lord upon him, but his sone Thomas, thairfore wee reckone him the first Lord Somervill.

And now, if wee take notice of later tymes dureing the reignes of the fyve King James, ther was few or non of the nobilitie in Scotland in

greater favour, or more frequently honoured with the personall presence of ther princes at ther dwelling-houses, then the Lords Somervills wer; whose house of Cowthally, from the year 1400 to the year 1600, the space of two hundereth years, intertained not only the kings and ther traines, when they were pleased to divert themselves with hunting and halking in those places, but likeways such of the nobilitie and gentrie that honoured them with a visit at other tymes. If ther wer any that had, or intertained a prejudice against that once noble familie, as I know non, I could make them judges in this caice.

What familie in Scotland was more liberall in ther intertainment? or what house were they second to for hospitalitie to persones of all rankes and conditiones? Let them name them if they can. That ther wer some men and families of greater fortune, honour, high places, and following, I readily acknowledge, but it is nottour to the greatest part of Scotland for liberalitie and good intertainement; noe house of any subject, of what degree soever, for hospitalitie came neer to Cowthally, and that for the space of two hundereth years. I shall, to make good this ascertione, adduce noe meaner witnesses then the testimonie of three of our kings, viz. King James

the Third, Fourth, and Fyfth. The first of those in the storie of the Speates and Raxes, asserted the Lord Somervill's kitchen bred moe cookes and better than any other nobleman's house he knew within his kingdom. The second, because of the great preparatione that was made for his comeing to Cowthally, at the infare of Sir John of Quathquam, spoke in lyke words.

For King James the Fyfth, from the eightene year of his age to the threttie-two, he frequented noe nobleman's house soe much as Cowthally. It is true ther was a *because ;* the castle of Crawfuird was not far off, and it is weill enough knoune as this king was a gallant prince, soe was he extremely amorous; but that which I take notice of as to my purpose is, that his majestie very frequently, when occasione offered to speak of house-keeping, asserted, that he was sure to be weill and heartily intertained at Cowthally by his mother Maitland, for soe was the king gratiously and familiarly pleased to designe the Lady Somervill, then wife to Lord Heugh, the first of that name. Albeit, ther needs noe further testimonies, yet take this for a confirmation of ther great house-keeping, that it is uncontravertedly asserted they spent a cow every day

in the year, for which cause it is supposed the house was named Cow-dayly. I shall enlarge myself noe further upon this subject; every name and familie has its ryse, increase, hight, and desolutione, and soe had this house of Cowthally, whose glory is now laid in the dust, and the principall habitatione of that noble familie a ruinous heap, to the discourse of all that beholds it, therby teaching great men that nether ther honours nor estates, numerous attendance, nor houses, are for ever entailled and assured to them and ther posteritie; but as all was once other mens before it was thers or ther predecessors, soe it will passe from them or ther posteritie to other names and families, therby declareing the mutabilitie and changeableness of all humane occurrences on this syde of tyme.

And now, that I may close this preface or introductione, I shall only mynde you, my sones, of three things. The first is, that I am not much concerned whether yow make these Memories public or not, but leaves it wholly to your oune advisement. The second is, that I designed them principally for your encouragement to vertue, that haveing the advantage of ane worshipfull, I may say, without vanitie, honourable

birth and liberall educatione, yow may not only be ornaments to your name, whereof you are chieff, but also, by the blessing of the Almightie God, prove happy instruments to raise the familie, in some degree, to its former hight and grander, all of yow being schollars farr beyond any of your predecessors that I find upon record, save one.

The third and last is, that I first intertained the thoughts and set about this worke, when your loveing mother, and my dearest wife, attended her respective parents at the place of Corr-house dureing their long sicknes, which gave the first ryse to that of her oune, and depryved me at lenth of that happynes I enjoyed in her sweet societie above most of men; and, good God! how could it otherwayes be, seing all that could be wished for in any woman was eminently to be found in her. In birth worshipfull, being the second daughter of as ancient a house and familie, as any within the shyre of ther degree; her parents not only honoured, but much beloved of all for ther hospitalitie and vertue. It was truely said of Corr-house, that he was the soonest and longest a man of any gentleman in Scotland, and indeed he was company for a

prince and greatest of our grandies; and such in publick for ordinary he conversed with, particularly his grace, this present Lord Duke of Hamilton, who loved him cordially, and respected him as his oune brother; for his mother, as she was the daughter of ane ancient and worshipfull house and prudent father, soe did she evidence to the world, by her knowledge in most concernes, particularly in the governement of her house, and charitablenes in distributing to the poor, that she was come of that frugall and judicious familie of the Lie,* whose name and interest at this present is great upon Clyde, and may be much more soe if they imploy those great soumes of money they have acquyred by their honourable and worthy imployments, for a further conqueis† in those places, to whom I am much obleidged upon that deserveing lady, my mother-in-law's account, above all my predecessors, betwext whom and my grand-father, Lord Hugh, and grand uncle, Lord Gilbert, in the last

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* The ancient house of Lockhart of Lee, now represented by Sir Alexander Macdonald Lockhart, Bart.

† Conquest, *i. e.* in the meaning of the Scottish law, acquisitions by purchase.

centurie, ther was no good understanding, and it never fared the better with them nor ther famalie for that very cause, as I find by their privat transactiones in that tyme.

And as my wife was happy in her parents, soe had she much honour by her uncle Collonell James Bannantyne, and her brother Sir William Bannantyne, likewayes collonell in the Dutch service, two brave gentlemen, that gave place to non in ther statione for conduct and valour, and wer truely of great credit to ther natione and relatives while they lived, as ther memorie is to this day, both of them unfortunately killed, the one at the seidge of York, *anno* 1644, in our late unhappy civil warre, the other at the seidge of the Grave in Holland, *anno* 1674, in the last Dutch warre with the French.

Now, by what I have said of her neer relationes, her oune personall worth can hardly be conceaved, far lesse expressed by soe unlearned and dull a pen as myne, if not supplied by the affectione of a kinde husband, and enlyvened by the rememberance of soe excellent a wife. Considder her then in her parents, in her relationes, her educatione, and as a mother, but, above all, in her understanding and persone. For the first,

she had so clear and piercing a witt in apprehending any matter, religious or civill, that her answears wer ready and pertinent, home to the purpose proponed, without affectatione or wrangling to hear herself speak, especially when ther happened any debeat anent the present church government,[1] (the common discourse and unhappy differences in those tymes;) whereunto she submitted with all her heart, both out of knowledge, conscience, and duety, and gave a large testimonie thereto at her death, by only imploying two of the orthodox clergie to be her comforters in that agonie; and as her oune principles wer sound and firmly settled, soe had she much charitie for all that differed from her in opinion, and blamed those that wer of a contrary mynde, still asserting, that wher charitie was wanting ther was nóe reall fear of God, let ther professione be what it will.

For her knowledge in civill business I can

[1] That is, Scottish episcopacy, to which the writer of these Memoirs appears to have been sincerely attached. Disputes between the favourers of the presbyterian church discipline, and the government by bishops established upon the Restoration, formed, probably, no small part of private conversation, as they greatly embroiled public affairs at this period.

give her this testimonie from my oune experience, that never any was more happy to bring the most intricate and desperat affaires in all mens judgement to ane fortunate issue, then she. When my estate was looked upon as quyte ruined and undone, her prudence, conduct, and vertue only preserved it; for, to speak the truth, in my younger years, when I came first to the management of my estate, notwithstanding of the bad conditione I found it in, I mynded more my halkes and dogs then business, which was weill supplied by my wifes indefatigable pains as to my concernes; nether did her dilligence abroad make her neglect the care of her familie at home, by her oune hands, at most tymes with a watchfull eye over her servants, with whom she conversed pleasantly and familiarly, which made them doe more then all the rigiditie that a sullen or dogged mistress can extort from them.

For the proportione of her bodie, pureness and delicacie of her complexione, the sweetnes of her air, the best of meanes, with the statelynes of her port, all concurring to frame and make up ane excellent creature, gave her absolutely the advantage of most of the women of her tyme, as cannot nor will not be denyed by any that ever had the happyness to see her, save such of her

oune sex as might have grudged and fretted at the universall applause she receaved, and testimonie of being the master piece of women kynde, that the present or future age may readily behold; from whose fruitfull womb four of yow my sones sprang, before she attained to the twentie-fourth year of her age, as exact modelles of her delicate self, being all of yow nursed with the teates and weaned upon the knees of a most indulgent mother, who cared for yow in the womb, in the cradle, upbringing and breeding in all sciences and befitting exercises, that might qualifie yow in your generatione and statione to be serviceable to your prince, country, and relationes, and before her death was soe happy as to see yow setled in your patrimonies according to your birth rights. Haveing proceeded thus farr, I can add noe more; the sad rememberance of my unexpresseable losse hes quyte dulled my inventione.

Yo^{r}. affectionate father,

Sic subscribitur,

James Somervill.

Off the first comeing of the Name of SOMERVILL *unto the Isle of Brittaine,*

AND

What they were in England before they came to Scotland.

THE original and beginning of most nationes and kingdomes being either fabulous, or conjecturall at the best, it were beyond all expressione ridiculous for any sirname to search further then publick and approven records of that natione wherof they are natives, or the evidences belonging to the principall families of ther name, and, in my opinione, those whose curiosities leads them further, deserves to meet with the fate and response of that Italian duke who transacted with ane astronomer to search for his pedigree, and thereftir to give him ane account, which he did exactly to the fourth degree, but in the fyfth left

him with ane Turks slave and ane oyll mans daughter, marryed togither for the first founders of his house and beginners of his familie. Thus wee see some mens pride and ambitione turnes to ther great disgrace, and really I cannot but admire the vanitie of some gentlemen with whom I have conversed, that boast of the antiquitie of ther familie, and ther long continuance, before our having of letters to leave the same upon record.

It is very weill knoune, that those sirnames, who indeed are the ancientest of this kingdome, and at present are in greatest honour, (a few only excepted,) had ther entrie and incomeing to this natione in the reigne of Macolumbus Kenmure, which was in the year of Christ 1057, since which tyme untill this present year, 1680, ther is sex hundereth years and upwards, a trace of tyme sufficient to confirme the antiquitie of any familie in Scotland; and I doubt much, let some men boast what they please, if any nobleman or gentleman in the low lands can produce any charter or writt before that tyme, nay, scarce from that kings reigne untill the reigne of King David Bruce, from whom most of the charters belonging to ancient families takes ther dates, as I know for a certaintie; but waveing this

discourse, I passe on to the memories of my oune name and familie, and leaves it to others to give ane account of thers with the same truth and ingenuitie as I intend to doe of myne.

Seing it is not pretended that the sirname of the Somervills originally wer either of British, Scotish, or Saxons extractione, wee need not goe seek ther pedegree amongst the ancient records of these nationes; for, if men would speak the truth, ther is litle certaintie to be had from them as to these tymes, the persones that lived in them, or the publick affaires then transacted, either amongst themselves or with forraigne nationes, and if soe, what may be expected of private families and ther particular concernes.

Neither shall I be soe vain as to search eftir our name out of the island of Brittaine, and beyond the mountaines to fetch ther originall from Italians, and the kingdom of Naples, out of the noble familie of the Dukes of Somers; nor yet, in repassing the Alpes, take by the way the toune and house of the Lord Somervill, all designed by that name, in the province of Savoy; for our originall, it is sufficient to know beyond all cavill, that our name is of French extractione, and that we came from the province of Normandie to Great Brittane, in the qualitie not only of gen-

tlemen, but knights, a dignitie of much more credit in these dayes then at present, when ther valour, not ther money, or court minions, procured them that honour.

And now that the superstructure may stand firme, and the edifice appear the better, I resolve to lay a sure foundation, such as cannot be contraverted, unless men bring in question the moderne as weill as the ancient histories and records of Brittane, that which I shall particularly pitch upon for to begin this narratione, is the Historie of the English Barronage, or the ancient Worthies of England, and in this I think it not fitt to use my oune words, but to give yow the authors.

[1 Edward III.]

1066. *Of Sir Gaulter de Somervill, the first Barrone of Whichenour, in the Countie of Stafford Shire.*

Rodger the Fyfth, and Philip the First, nobilitat and made Peers of England.—Of this familie, though they were but two, and the last of

the male lyne who had summonds to the parliament, yet wer they before that tyme men of eminent note and rank in ther days. The first of them that came into England was Sir Gaulter de Somervill, a Normane knight, who seated himself at Whichenour, in the countie of Staffordshyre, having that fair lordship, and Bartane neer to it, by the gift of King William the Conqueror.

This far the author of the Antiquities of England, by which wee understand both the tyme of the sirname of the Somervills first comeing to England, which was in the year 1066, as also the qualitie they wer off, at that tyme being knights, ane honour not so easily come by then as in this present age; for which see the Historie of the Douglasses, page 33, that speaks truely and fully to this purpose.*

Farther of this Sir Gualter I find not in any of the histories of England, save only that he was father to a second Gualter, his sone, that

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* The author refers to Hume of Godscroft, who pronounces a long eulogium upon the dignity anciently conferred by the honour of knighthood. The folio edition of 1644 is that referred to.

succeeded to him in his estate; for the particular writs or evidences belonging to this familie, if ther be any extant of this man, certainly they must be in the hands of such as are possessors of his lands at present; but as I am informed, writs belonging to privat families are neither many nor have great antiquitie, by the custome of England, to preserve ther memorie to posteritie.

Off Gualter the Second of that Name, and Second Baronne of Whichenour.

From Sir Gualter descended another Gualter, of whom ther is noe farther mentione, but that he marryed Cicilly Delunsie, by whom he had issue Rodger de Somervill, that succeeded to him in his estate.

Off Rodger the First of that Name, and Third Barronne of Whichenour.

All that I find of this man is, that he marryed one Edellie to his wife, daughter to Robert Bu-

ther of Inglishbie, and begott on her a sone, named Rodger, who succeeded to him in his fortune.

Off the Second Rodger, and Fourth Barrone of Whichenour.

Off this Rodger I find nothing written, but that he was father to a third Rodger, of whom wee are next to write.

Off Rodger the Third of that Name, and Fyft Barronne of Whichenour.

Off this Rodger the histories of England speakes nothing, untill the year 1203, which was the fyfth year of the reigne of John, King of England, and then the author of the antiquities of that natione tells us, that this gentleman obtained from King John, the fyfth year of his reigne, a grant of the manour of Zears,* which

* Afterwards more correctly spelled Eyrwasi, of which Years or Zears is the contraction.

was one of the lordships of the kings ancient demains, and joyneing to that of Whichenour before-mentioned, to hold in few farme for the old rent, and 100 shillings more increase. Thus far the author of the English Antiquities, untill the year 1214. He again informs us, that this Rodger adhereing to the rebellious barrons, about the later end of King John his reigne, by reason wherof his manour of Stockton, in the county of Wear, was given to Henry Deeduly, and so writes noe more of this Rodger, nor yet of his sone John, but only names him to be father to Robert, that was grandchilde to Rodger the third of that name, of whom he had been wrytting; as he was then relateing the memorie of Robert, the son of John, the which John, albeit he be only named by this author, yet the familie of the house of Whichenour, in England, was continued in him, as that of Lintoune, in Scotland, was begun by reasone his eldest brother Rodger being a churchman, never marryed, and these two gentlemen, Rodger and John, was all the male successione that Rodger the third (forfaulted by King John) ever had that we can come to the knowledge of. However, it appeares from what wee understand of the memorie of the two sones, that ther father hes been very care-

full of ther educatione, for finding the nature and inclinatione of his eldest sone bookish, and that of the youngest to have more of the souldiers and courtiers, he accordingly gave them breeding, the first at the universitie of France, some of ther abbacies or monastries most famous for learning, the universities of Oxfoord and Cambridge not being founded untill the reigne of Edward the .*

The second being of a comely countenance, and active much above his age, haveing accompanyed his father to the north of England to see his mothers relationes, it was his good fortune to be first taken notice off, and then recommended by some Scots courtiers to Malcolumbus the Fourth, who was then King of Scotland, and possessed at that tyme the counties of Northumberland, Cumberland, Westmuirland, and the earldome of Huntingtoune, in England, his majestie being then ordering his affaires in those parts, when it was the happynes of this youth to be receaved in his service, and that in the qualitie of ane of the pages of honour in regard of his

* This is a strange mistake, for the university of Oxford was either founded or restored by Alfred, and Cambridge either founded or restored by the Abbot of Crowland, in 1109.

worshipfull descent, which the king being informed of at first by persones of the best qualitie in these counties, and eftirward by his father Rodgers comeing to kisse his royall hands, and to recommend his young sone to his majesties favour and protectione, in a country where he was but a stranger, and had nothing to trust to but his royall bountie. The king not only accepted the sone because of his sprightly port, but in regaird of his fathers soe frankly parting with a sone of soe great hopes to him, a forraigne prince, that might in tyme have procured ane honourable imployment for him at home from his oune king, or in the kingdome of France, a great part wherof the kings of England had in possessione at this time. But this youth being admitted to the service of this pious monarch, it proved greatly to his oune honour, the advancement of his eldest brother Rodger to the principall offices both of the church and state, in the kingdome of Scotland, as yow shall hear eftirward.

Rodger haveing setled his eldest son in France for his educatione, and gotten soe honourable ane imployment for his youngest sone in Scotland, he returned home weill satisfied with his oune good fortune, and the happy prospect he

had of that of both his sones, which many yeares thereaftir came to pass.

What interest this gentleman had in the manadgement of the publick affaires of the state in England, or yet concerneing the ordering of his oune busines at home, from the year 1164, which was the year his sone John entered into the service of Malcolumbus Quartus, and came to Scotland, untill the year 1203, being threttie and nyne years, wee are autterly ignorant off, but that in this year 1203, (being the fyfth of King John his reign in England,) he was at that tyme weill staited in his princes favour, which is evident from that grant of the manour of Zears, was one of the lordships of the kings ancient demains, conferred upon him by this kings gift, which continued with his posteritie eftir his grandsone Robert was restored by Henry the Third of England to his grand fathers fortune, untill the death of Sir Philip de Somervill, the last air male of that house of Whichenour in England.

All things hitherto succeeded weill with this worthy and now aged gentleman, himself in much favour with his oune prince (albeit one of the worst that ever rang, if wee may believe the histories of England,) his eldest sone Rodger not only Bishop of Saint Andrewes, but likewayes

the first officer of state, being Lord High Chancellor of Scotland,* in which office he continued nyne years. This gentleman, Rodger Somervill, elder brother to Sir John of Lintoune, being bred in France, was preferred to be Bishop of Saint Andrewes, (and is the twentieth in the catalogue, though not expressed by sirname,) eftirward in the twentieth and fourth year of King Williams reigne, sirnamed the Lyon, being in *anno* 1189. The office of being lord chancellor was conferred upon him, although it be true, neither this Rodger nor Tousett, the first lord chancellor in the reigne of Conranus,† *anno 535*, nor Angleramus, the fyfth Bishop of Glasgow,

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* This is another singular mistake. Roger, Bishop of St Andrews and Chancellor of Scotland in the end of the twelfth century, who is thus gratuitously adopted unto the house of Somerville, was in fact the third son of Robert de Bellemonte, surnamed Blanchemains, the 3d Earl of Leicester, by Petronilla, daughter of Hugh de Grantmesnil. Roger, according to the Chronicle of Melrose, was consecrated, in 1198, Bishop of St Andrews, but had been elected to the see ten years before. "*Rogerus filius Comites Leicestriæ consecratus est in Episcopatum Sancte Andreæ prima Dominica Quadrugesimæ*, 1198."—See Crawford's Lives of Officers of State, and Keith's Catalogue of Scottish Bishops, with the authorities there quoted.

† Tousett and Conranus are equally imaginary personages; nor is it easy to conceive that a Regulus of Scotland had occasion for a chancellor in 535.

and second lord chancellor, nor yet Hugo the Third, are mentioned in the catalogue of the chancellors of this kingdome, for they began with William Melvisius, the nynth Bishop of Glasgow, *anno* 1198. But it is certain there were four chancellors before that tyme in Scotland, whose names wee have not in ther catalogue. Our historians are defective in ther relatione in this as in other things; for his youngest sone John he saw him not only continued in his service, by the succeeding King of Scotland, but likewayes preferred to severall places in the state, and honoured with the title of knighthood, conferred upon him by William King of Scots, being allwayes in much favour with his three masters, Kings of Scotland, whom this young gentleman had the honour to serve, and ther was nothing rejoyced him more then to hear this his sone had (upon his desyre and his oune brothers entreaty) matched himself with one of the worthiest families of the south of Scotland, whose interest and following was much in that country, and ther lands and barrony lying adjacent to that of his sones.

By which marriage, and his princes favour, he understood his sone had secured his interest, and resolved his setlement in the kingdome of Scot-

land, wherwith he was weill satisfied, for some few years eftir King Johns comeing to the croune of England, this aged gentleman foirsaw the troubles that would ensue, albeit they broke not out in open hostilitie untill three or four years before this king's death, and the last of this gentlemans oune; what could have enduced him they were breaking out, being soe weill staited in his masters favour, and obleidged by soe large a donatione as the demaine of Zears, was to join himself with the rebellious barrons at such ane age, when he could not act any in all human probabilitie, and was as unfit for counsell, is a thing to be admired but not understood and knoune; seing the author of the English Antiquities is silent herein, and only tells us he joyned with these barrons that wer in the rebellione, for which his estate was forfaulted, and given to such as adhered to the kings interest. Thus wee see the unconstancie of mens conditione in this world, for here is a gentleman of noe mean extractione, whose predecessors for services done to the croune of England, and more particularly to the persone of William the Conqueror, from whom he had the lordship of Whichenour, and thereftir the benevolences and grants of the succeeding Kings of England gave them opulent

fortunes in severall counties of England, and for any thing knoune from the histories of England, this man, as all his predecessors was much in favour with the kings untill this unhappy warr fell out, wherin this unfortunat and aged gentleman, some way or other, engaged himself to the utter undoeing of his posteritie in the kingdome of England, if Providence had not ordered it other wayes.

Eleven years preceeding this, he had been trysted* with the said dispensatione of his eldest sone Rodgers death, who some four years before he dyed, with his masters consent, had demitted his place of being chancellor, in favour of William Melvisius, that he might better attend his ecclesiasticall functione, wherin he continued but four years, and then Melvisius succeeded to that also, *anno* 1202; for this worthy prelat, Rodger de Somervill, dying at Saint Andrewes,† was buryed in the cathedrall church therof, by his

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* *i. e.* appointed (by Providence) to meet with the disaster.

† Roger de Bellomont, who is here called Roger de Somerville, Bishop of St Andrews, died at Cambus Kenneth, in July 1202, and was interred in the chapel of St Rule, at St Andrews. His connection with the house of Somerville seems quite apocryphal.

brother Sir John of Lintoune; his father Rodger not being then in Scotland, soe that from the year of his eldest sones death, untill the year 1213, that he engadged in the barrones warrs, wee hear nothing of him from the English Antiquities, but that the year eftir his sones death he had that grant of the demains of Zears, was from King John, in *anno* 1203, and thereafter that he engaged in the rebellione in the year 1213, for which being forfaulted, he fled to Scotland, and came to his sones Sir Johns house at Lintoune, where his eyes was blessed with the sight of his grand children, particularly with Robert and William, the two eldest, then but youths, both which eftirwards wer the heads of two noble and honourable families, the one in England, and the other in Scotland. For himself he lived not many moneths eftir his comeing to Scotland, but dyed in *anno* 1214, being then neer the nyntieth and fourth year of his age, at his sones house in Lintoune tour: he was buryed with all the ceremonies and funerall pomp in use at that tyme, by his sone John and his ladyes relationes; he was laid in the quier of Lintoune church, and was the second of that name of Somervill that lay in Scots ground, being father to Rodger, Bishop of Saint Andrews, Lord High Chancel-

lor of Scotland ; and to John, the first barrone of Lintoune, and grandfather to Robert the first of that name, the seventh lord or barrone of Whichenour, in England, including his father John, of which Robert before wee wryte any thing, wee must give ane account of his father Johns first comeing to Scotland, and the occasione of his setleing there.

Off John the First of that Name, and Sexth Barrone of Whichenour ; the First of Lintoune, in Scotland, and the Sexth from Sir Gualter de Somervill.

Being now to bring the sirname of Somervill to Scotland, eftir ther arryveal in England nynetie years, wee must look back to the reigne of Malcolumbus the Fourth, sirnamed the Maiden, grand childe to King David the First, and eldest sone to Prince Henry. This pious monarch was King of Scotland in the year of Christ 1153, and possessor at that tyme of the counties of Northumberland, Cumberland, Westmuirland, and Huntingtoune, in the kingdome of England; this noble prince, amongst severall others of the gentlemen of these counties, was pleased to re-

ceave and entertaine, as one of his pages of honour, John Somervill, second son to Rodger de Somervill, the fyfth barrone of Whichenour, in
1164. *anno* 1164, being the eleventh year of his majesties reigne, and the fourteinth of this youths age, who still continued in his majesties service during his reigne, which was not long, for he sickned and dyed at Jedburgh, the twelfth year of his reigne, and was buried in Dumfermeling, haveing before his death renued and enlarged the chartor of the abbacy of Jedburgh, founded by his grandfather King David, in which chartor this youth, John Somervill, is a witnes. The chartor is dated at Jedburgh, in *anno* 1164: some few moneths before this the king dyed. This chartor of late was seen in the productione of a proces betwixt the Earls of Roxburgh and Lothian, when they contended about the preheminency of place, and who should be cheiff. It was at that tyme read of many gentlemen, particularly by Mr William Cheislie, present wrytter in Edinburgh, the authors informer, soe that the tyme wee fix upon for the sirname of Somervills first comeing to Scotland being in this kings reigne is evident, and clear beyond all cavill, from this gentleman being a witness in the chartor granted by his majestie in favour of that abbacie.

Malcolumbus the Fourth, dying in *anno* 1165, 1165.
William, surnamed the Lyon, his brother, succeeded to the croune of Scotland; a prince of many eminent vertues, who was soe far from discountenanceing those that wer in favour with his predecessor, or in his service, that upon the contrary they were highly esteemed of him, and not only continued in ther service, but in tyme preferred to severall dignities, and amongst others this young gentleman, John Somervill, being now of the age of fyfteine, he began for his many vertues to have some interest in the court; but that which procured to him that honourable place of being the kings fallconar, some nyne years eftir he entered into his majesties service, and gave him the lands and barronie of Lintoune, was a very extraordinary and gallant action. How the memorie of it comes to have been omitted by the wrytters of our histories, I cannot understand, unless it proceeded from the dullnesse and ignorance of that age, that left the very principall and grand occurrences, both in the church and state, and the persons that wer actors, unknoune to the future generations, giving us nothing to the purpose but the bare names of our kings, and the tyme of ther reigne. However, according to the constant uncontraverted and generall tra-

ditione of men untill this present age, the storie is this :—

In the parochen of Lintoune, within the sherrifdome of Roxburgh, ther happened to breed ane hydeous monster in the forme of a worme,* soe called and esteemed by the country people, (but in effect hes been a serpent, or some such other creature,) in lenth three Scots yards, and somewhat bigger then ane ordinary man's leg, with a head more proportionable to its lenth then greatnes, in forme and cullour to our common muir edders. This creature, being a terrour to the country people, had its den in a hollow piece of ground upon the syde of a hill southeast from Lintoune church, some more than a myle, which unto this day is knoune by the name of the Worme's Glen, where it used to rest and shelter itself; but when it sought eftir prey, then this creature would wander a myle or two from its residence, and make prey of all sort of bestiall that came in its way, which it easily did, because of its lownesse, creeping amongst the bent, heather, or grasse, wherein that place abounded much, by reasone of the meadow ground, and a

* Orme, or worme, is, in the ancient Norse, the generic name for serpents.

large flow mosse, fit for the pasturage of many cattell, (being naturally of itself of noe swift motione,) it was not discerned before it was master of its prey, instantly devouring the same, soe that the whole country men thereabout wer forced to remove ther bestiall, and transport themselves three or four myles from the place, leaveing the country desolate; neither durst any passinger goe to the church or mercat upon that rod for fear of this beast. Several attempts was made to destroy it by shooting of arrowes, throwing of darts, non darring to approach soe neer as to make use of a sword or lance, but all ther labours was in vaine. These weapons did sometymes slightly wound, but was never able to kill this beast, soe that all men apprehended the whole country should have been destroyed, and that this monster was sent as a just judgement from God to plague them for ther sins. Dureing this fear and terrour amongst the people, John Somervill being in the south, and hearing strange reports of this beast, was, as all young men are, curious to see it; and, in order therto, he comes to Jedburgh, where he found the whole inhabitants in such a panick fear, that they were ready to desert the toune. The country people, that wer fled there for shelter, had told soe many

lies, as first, that it encreased every day, and was beginning to get wings; others pretended to have seen it in the night, asserted it was full of fyre, and in tyme would throw it out, with a thousand other ridicolous stories, which the timerous multitude are ready to invent on such ane occasione, though, to speak the truth, the like was never knoune to have been seen in this natione before. However, this gentleman continues his first resolutione of seeing this monster, befall him what will; therefore he goes directly to the place about the dawning of the day, being informed that for ordinary this serpent came out of her den about the sun ryseing, or neer the sun setting, and wandered the feildes over to catch some what. He was not long neer to the place when he saw this strange beast craul furth of her den; who, observeing him at some distance, (being on horse back,) it lifted up its head with half of the bodie, and a long tyme stared him in the face with open mouth, never offering to advance or come to him; whereupon he took courage, and drew much neerer, that he might perfectly see all its shapes, and try whether or not it would darr to assault him, but the beast turneing allmost in a half circle, returned to the den, never offering him the least prejudice; whereby he

concludes this creature was not soe dangerous as the report went, and that ther might be a way found to destroy the same.

Being informed of the means that some men had used for that end allready, and that it was not to be assaulted by sword or dagger, (the ordinary armes, with the lance, at that tyme,) because of the neer approach these weapons requyred, if the beast were venomous, or should cast out any such thing, he might be destroyed without a revenge. Being apprehensive of this hazard, for severall dayes he markes the outgoeing, creeping, and entering of this serpent into her den, and fand, by her ordinar motione, that she would not retire backward, nor turne but in half a circle at least, and that ther was noe way to kill her but by a sudden approach with some long spear upon horse back, but then he feared, if her bodie was not penetrable, he might endanger not only his horse's life, which he loved very weill, but also his oune, to noe purpose. To prevent which he falls upon this device, (having observed that when this creature looked upon a man, she allwayes stared him in the face with open mouth,) in causeing make a spear neer twice the ordinary length, ordaineing the same to be pleated with irone, at least six quarters from

the poynt upward, that noe fyre upon a sudden might cause it fall asunder; the which being made according to his mynde, he takes his horse, weill acquainted with the lance, and for some dayes did exercise him with a lighted peat on the top of the lance, untill he was weill accustomed both with the smell, smoak, and light of the fyre, and did not refuse to advance on the spurr, although it blew full in his face. Having his horse managed according to his mynde, he caused make a litle slender wheell of irone, and fix it soe within half a foot of the poynt of his lance, that the wheell might turne round on the least touch, without hazarding upon a sudden breaking of the lance.

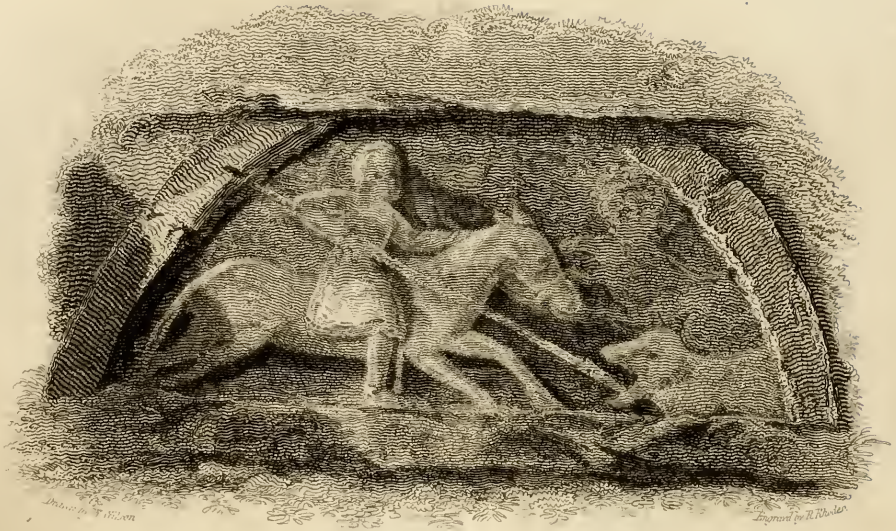
All things being fitted according to his mynde, he gave advertisement to the gentlemen and commons in that country that he would undertake to kill that monster or dye in the attempt, prefixing a day for them to be spectators. Most of them looked upon this promise as a rodomentado, others as ane act of madnes, flowing from ane inconsiderat youth; but he concerned not himself with their discourses. The appoynted day being come, somewhat before the dawning of the day, he placed himself, with a stout and resolute fellow, his servant, (whom he gained by

a large reward to hazard with him in this attempt,) within half ane arrow flight, or therby, to the den's mouth, which was noe larger then easily to admit the outgoeing and re-entering of this serpent, whom now he watched with a vigilent eye upon horse back, haveing before prepared some long, small, and hard peats, bedabbed with pitch, roset, and brimstone, fixed with small wyre upon the wheell at the poynt of his lance; these being touched with fyre, would instantly break out into a flame. The proverb holds good, that the fates assists bold men, for it was truely verefied in him, fortune favouring the hardy enterprize of this young man. The day was not only fair, but extreme calm; no wind blowing but a breath of air, that served much to his purpose.

About the sun ryseing, this serpent or worme (as by traditione it is named) appeared with her head, and some part of her bodie, without the den; whereupon the servant, according to directione, set fyre to the peats upon the wheell at the top of the lance, and instantly this resolute gentleman puts spurrs to his horse, advanced with a full gallop, the fyre still encreasing, placed the same with the wheell, and almost the third part of his lance, directly in the serpent's

mouth, which went doune her throat into her bellie, which he left there, the lance breaking by the rebound of his horse, giveing her a deadly wound, who, in the pangs of death, (some part of her body being within the den,) soe great was her strenth, that she raised up the whole ground that was above her, and overturned the same to the furthering of her ruin, being partly smothered by the weight therof.

Thus was she brought to her death in the way and manner rehearsed, by the bold undertaking of this noble gentleman, who, besydes ane universall applause, and the great rewards he receaved from his gracious prince, deserved to have this actione of his engraven on tables of brasse, as a perpetuall memoriall of his worth. What that unpolished age was capable to give as a monument to future generationes he had, by haveing his effigie, in the posture he performed this actione, cutt out in stone, and placed above the principall church door of Lintoune kirk, with his name and sirname, which nether length of tyme, nor casuall misfortune, hes been able to obliterate or demolish, but that it stands entire and legible to this very day, with remembrance of the place where this monster was killed, called the Serpent's Den, or, as the country people



Drawn by T. Wilson

Engraved by R. Rhodes

RUDE SCULPTURE

over the Porch or Entrance of the Kirk of Linton.

illustrative of the event which gave rise to the Crest now borne by the Family

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names it, the Worme's Glen,* whose bodie being taken from under the rubbish, was exposed for many dayes to the sight of the numerous multitude that came farr and neer from the country to look upon the dead carcasse of this creature, which was soe great a terrour to them while it lived, that the storie, being transmitted from father to sone, is yet fresh with most of the people thereabout, albeit it is upward of fyve hundereth years since this actione was performed.

For the young gentleman himself, he was 1174.

* The spot mentioned in the text is still called the Worm's Glen, and the common people retain among them a traditional account of the feat of Somerville, nearly as described in the text. But the monument appealed to, which is still distinctly visible in the wall of the old church, throws a great doubt on the kind of monster which this valorous knight destroyed. The sculpture, of which we have given a vignette, presents a rude representation of a horseman in complete armour, bearing a falcon on his arm, in allusion probably to Somerville's office of royal falconer. He is in the act of charging his lance down the throat of a large four-footed animal, probably a bear or wolf, but which in no point resembles a serpent. There is an effaced inscription, afterwards mentioned in these Memoirs, which the common people (adapting it to their own tradition) pretend run thus:

THE WODE LAIRD OF LARISTONE
SLEW THE WORM OF WORME'S GLEN,
AND WAN ALL LINTON PAROCHINE.

The house of Somerville, in allusion to this exploit, and the means employed by their ancestor upon this occasion, bear for a crest, a wyvern (or heraldric dragon) *vert*, perched upon a wheel *or*.

much esteemed off by his royall master King William, by whom he was not only honoured with knighthood, but also rewarded in haveing the lands and barronie of Lintoune conferred upon him for that particular service done to his country. By the grant of these lands, and the chartors date, which was in the year of Christ 1174, being the nynth year of King William's reigne, wee conclude that the sirname of Somervill setled themselves in Scotland, by haveing a proprietie therin, wherby they became subjects in that kingdome. From this house, and the barronies of Lintoune, are descended the wholl families and name of Somervill now in Scotland, and it is originally from this young gentleman they have their beginning here, as these in England had thers from Sir Gualter de Somervill, and the house of Whichenour, from which this of Lintoune had its ryse, as is most evident from the clear progresse of these memors allready mentioned.

Sir John Somervill, now of Lintoune, by this grant, and his majesties speciall favour, haveing obtained and procured to himself that honourable place of being the king's principall fallconar, and some few years thereafter he was constitut sherriff of Roxburgh-shyre, in which office he continued dureing King William's life, which

LINTON KIRK,
County of Roxburgh.

was very long. Soe soon as he had been setled in these imployments, and fand that the nobilitie and barrones of Scotland had a respect for him, because of his interest at court, he began to considder himself as a subject of the King of Scots; therefore he resolves to make his residence, and provide for his posteritie, in this kingdome, notwithstanding of the opulent fortune he was to enjoy in England efter the deceas of his father Rodger de Somervill, Lord or Barrone of Whichenour, whose eldest sone and appearand air, Rodger Somervill, being bred a schollar in France, had putt himself in orders, and became a churchman, wher, by the constitutione of the papall government, he was become incapable of haveing a legal successione, soe that what inheritance he had by his birth-right was to descend to his brother John, now Barrone of Lintoune in Scotland, who, being in the twentieth and fourth year of his age, did litle mynde to putt himself in a marryed conditione. The pleasures of the court, and his constant attendance upon the king, with his recreatione, (ther being a profound peace,) took up his wholl imployment, so that albeit he was often importuned by letters from his father, and not a few from his elder brother, to put himself in a marryed state,

yet I find not that he was soe untill some years eftir his brother Rodger de Somervills comeing to Scotland, who being by his oune merits and his brothers interest at court, haveing allready (while he was in England) passed the smallest dignities and offices of the church, and some others in Scotland, to be first preferred Bishop of Saint Andrewes, and is the twentieth in the catalogue thereafter in *anno* 1189, being the twentieth and fourth year of King William's reigne, he is made Lord Chancellor of Scotland, and is supposed to be the fourth chancellor that had been of this nationc. Tousett, a man of mean extractione, being the first in the reigne of Conranus, *anno 535*; Angleramus, the fyfth Bishop of Glasgow, being the second, and Hugo, the eighth Bishop of Glasgow, and nyneteinth of Saint Andrewes, being the third, in *anno* 1178.* It is true, in the catalogue of our chancellors, they are pleased to begin with William Melvisius, the nynth Bishop of Glasgow, in *anno* 1198, but by ther favour I presume, under correctione, they make not ther collectione right, as is evident from severall testimonies, particularly from the catalogues of the Bishops of Scotland, who are marked doune as haveing been chancellors of

* We have already said that this is all visionary.

Scotland before William Melvisius' tyme; but I passe this, as not willing to enter the list of our moderne antiquitaries, some of whom hes allmost as many errors as they have lynes, and it is no great wonder, seing they have but dark lanternes to shaddow furth a litle light of those tymes. Let it suffice for my purpose, that it pleased God that this noble gentleman, John Barrone of Lintoune, whose memorie I now wryte, should not only be the first of his name in a strange country, but also a happy instrument to enlarge ther possessiones, and bring his familie and neer relationes unto great dignitie, as he was the cause of his elder brothers comeing to Scotland, wherby he attained to these great honours allready mentioned, and in which he continued nyne years chancellor, and then demitted in favours of William Melvisius, haveing lived but four years eftir his demissione. William Melvisius succeeded likewise to his bishoprick, *anno* 1202.

Some few years eftir, Rodger de Somervill was setled in his dignities of church and state, and began to take upon him the manadgement of secular affaires. He prevailles upon his brother Sir John to take a wife, therby to continue the memorie of their familie; which albeit he had no great inclinatione for it himself, yet to gratifie

his brother he now seeks eftir one, though then neer the fourtieth year of his age. This is not much to be wondered at, seing a successor of his, and the fourteinth from him, was neer to the same age before he marryed.* However, more out of obedience to his brother's commands than his oune inclinatione, he marryes Elizabeth Oliphant, daughter to Sir Robert Oliphant of Cessefoord, (the Kers, now of Cessefoord,† succeeded to the Oliphants, but whether by forfaulture or marriage I know not,) ane ancient baronne in Tiviotdale, whose lands and barronie of Cessefoord lay next and adjacent to his oune barrony of Lintoune. The watter of Kaill, that empties itself in Tiviot, bounding or separating these two barronies. With this Lady, Elizabeth Oliphant, Sir John Somervill of Lintoune lived very happily for many years, haveing severall children, whose remembrance wee have not, except Robert and William, who succeeded to his oune and predecessors estates both in Scotland and Eng-

* James Somervill of Drum marryed at the age of thertieth and sex.—*Original Note.* This was the author of the manuscript himself.

† Andrew Ker, according to genealogists the fifth of the house of Roxburgh, obtained a grant of the lands of Cessford in 1446, which became the distinguishing title of that family until it was ennobled.

land. His master, King William, about this tyme goeing to England in *anno* 1200,* John Barrone of Lintoune accompanies his majesty in that journey, wherby he had opportunitie to visite his old father Rodger, Lord of Whichenour, who then was in the retinue of John King of England. Dureing the abode of this prince at York, ther was a nobleman's childe of great beautie, being air to great possessiones, that had a disease uncureable, who by the only touch of this godly King William was perfectly healled.† This interview being over, King William returnes to Scotland, and continues his pious donations to many abbacies, and erected some bishoprickes, such as Argyle and severall others, and founded the toune of Perth, granting therto severall priviledges. The kingdome still continueing in peace dureing his reigne, which was fourtieth and nyne years; about which tyme, or the year preceeding, 1213, the barrones warrs falle out in England; King John and his barrones

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* For the purpose of performing homage to King John for his English possessions, which he did at Lincoln, 22d Nov. 1200, "*salvo jure suo.*"

† This farce was probably played off to put himself on a level with the Kings of England, who claimed this healing virtue in right of Edward the Confessor.

quarrell; the first for his prerogative royall and the priviledge of the croune, (wherein, to speak the truth, he had but a slender right, Arthur Duke of Brittane, sone to Godfray, the eldest brother's right, was preferable to his,) and the later, for the same immunities and freedomes eftirward contained in ther Magna Charta, granted to them by his sone Hendry the Third, the nynth year of his reigne, which they alleadged was violated by his impositiones and taxes imposed upon them without ther oune consents, which was contrary, as they alleadged, to the knoune and established lawes of England. This warr continued with various successe dureing King John's reigne, and some part of the minoritie of King Hendry the Third, before it was fully setled; and it was the misfortune of Rodger de Somervill, Lord of Whichenour, when his age might have excused him from being either of counsell or actione with any of the parties, to be one of these who syded with the rebellious barrones. When that factione had contended long to litle purpose, but to the hazard of enslaving ther natione, and furthering of their oune ruine, being beaten by the king's forces, most of them was necessitat to seek ther relief in France and elsewhere. Amongst others, Rodger Lord of Whichenour came into

Scotland, and remained at Lintoune with his sone Sir John. Some few moneths eftir his arryveall he dyed, and was buryed in the quier of Lintoune church, as is allready declared in his memorie.

Rodger being dead, John, now Lord of Whichenour, (his elder brother Rodger, in the year 1202, being also deceased,) haveing, some moneths before his royall master King William dyed, procured from him a letter of recommendatione to King John, he goes to England, being then in the sextieth and fourth year of his age, to receave his father's forfault estate there, and makes applicatione both to the king and court, but all to noe purpose. Ther was other men in possessione thereof by the king's gift, that his majestie would hear noe addresse made to him in favours of this worthie gentleman, and that because of his father's ingratitude, upon whom, some few years eftir his comeing to the croune, he had conferred the manour of Eyrs, which was one of the lordships of his oune ancient domains, and adjacent to that of Whichenour. All hope of prevailling with King John for any interest this gentleman could make at court, things then being quyte out of order, both within and without the kingdome that belonged to England dureing

the reigne of this ungratious king; therefore, he returnes home to Scotland, where all was in peace, by the justice and valour of that excellent prince Alexander the Second, who now swayed the scepter of Scotland, with a resolutione not to seek eftir his estate in England untill the tymes wer better, and another king then John should sit upon the throne of England.

1214. This gentleman being returned to Scotland, he gave an account of his negotiatione to his now royall master, Alexander the Second, who succeeded to his father William in the year of Christ 1214, who, being a good and a valiant prince, and severe justiciar, had a speciall regard unto all these that had been in favour with his father King William, and, amongst others, he was pleased to ratifie by a new confirmatione his father's grant of the lands and barronie of Lintoune to Sir John Somervill, and withall he gave him noe small hopes, that if this gentleman lived to see the present troubles of England setled, to procure to him, from King Hendry of England, his father's estate there; wherein he was as good as his promise, for his majestie having marryed the sister of that king, and retained the counties of Northumberland, Westmuirland, Cumberland, and Huntingtoune, and the king's two sisters

being marryed to two great princes of England, by his royall master Alexander the Second his intercessione, and the allyance he had now made with England, with the great favour Rodger de Somerey his cussin was in with Hendry the Third, as being one of these who had still syded with King John, as he did with Hendry in his minoritie against the rebellious barrones: upon these recommendationes, and his cussin German's great interest at court, he recovered that great estate in England, which his father Rodger had forfaulted by his adhereing to the rebellious barrones; but whither he came to the peaceable possessione therof, the chronicle gives noe account, naming him only as father to Robert, but wherin that historie is silent as to the father's concerns. They supplie that defect abundantly by a large narratione of his son's actiones dureing twentieth yeares of Edward the First his reigne, as shall be spocken to in its place. For this gentleman, of whom wee now wryte, haveing left the court because of his age, he lived with much reputatione amongst his neighbours in the country, haveing seen the reigne of three kings, all of whom he had served, to witt, Malcolumbus the Fourth, William, sirnamed the Lyon, and to the sexteinth year of

the reigne of Alexander the Second; about which tyme he contracted his eldest sone, being then but of the age of seventeine years, upon Isobella, one of the daughters and co-heirs of Rodger de Merley, a great barrone in Northumberland, by which he came to have a farr greater interest in England then formerly. It was because of this marriage, and his sones comeing to the possessione of the lordship of Whichenour, ther ancient inheritance in England, that made him, with his sone Robert's consent, setle the barronie of Lintoune upon his second sone William, who, by grant from his father and brother, made now a distinct familie from that of Whichenour in England.

John, King of England, haveing raigned seventeinth or eighteinth years, his kingdome being all in combustione some years before his death, and himself rejected by his subjects, and Lewis, the dolphine of France, sone to Philip Augustus, the fourtieth and two King of France, being elected by the English for ther king, was as quickly rejected by them upon King John his death, and Hendry the Third, sone to King John, receaved, and Lewis, ther late king, returned back to France. These occurrences being so fully spocken to, both in the English and

French histories, I passe them over in a word, as not being my concerne to medle with the histories of these nationes or my oune, but in so far as they may give some light to the progresse of these Memories I have in hand; seing our sirname has been and is concerned in all the three kingdomes of France, England, and Scotland, I cannot alltogither passe over these tymes in silence, but will be necessitat to wryte some thing now and then of the publick affaires as occasione offers, which I shall doe with all brevitie imaginable.

The particular year of this worthie gentleman's death, and his exact age, wee can give noe certaintie, but, allowing him to have been of the age of fyfteinth when he entered into the service of Macolumbus the Fourth, and of the age of twentieth and four when he performed that memorable actione of killing the monster, wee conclude, from these forgoeing circumstances, that he could be noe lesse then of the age of eightie. He dyed at the tour of Lintoune, which he built, and lyes buryed in the quier of that church, hard by his father Rodger Lord of Whichenour. 1230.

Off Robert, the seventh Lord or Barrone of Whichenour, elder Brother to William, second Barrone of Lintoune.

Before wee come to wryte of the younger brother, William, the second Barrone of Lintoune, order requyres wee should treat of his eldest brother, Robert Lord of Whichenour, who, without doubt, was in the peaceable possessione of his grandfather's estate in England before his father John's death, otherwayes it is not to be thought that either he himself, albeit but young, or that honourable familie that he was to match with, would have suffered him to have parted with a certane fortune in Scotland for a doubtfull expectatione of enjoying his predecessors lands in England, from which his grandfather Rodger being forfaulted was dispossessed, and his father John, for any thing wee know, was never actually possessed therof. However, this noble gentleman, that was borne in Lintoune, and brought up in Scotland, his father being restored to his predecessores ancient inheritance in England, by the favour of Hendrie the Third, came to the possessione therof eftir his father's death;

and it is upon record, that, eftir his marriage in the north of England, he procured from Edward the First, not only a ratificatione to his ancient estate, and that great fortune that came to him in Northumberland by his wife, but likewayes severall grants of new priviledges within the lordship of Whichenour, and his other lands elsewhere in England, as is evident from the author of the English Antiquities, who wrytes of this worthie gentleman as to the grace and many favours he had from his prince, and of his death, which I conceave fitt to give yow in the author's oune words:—

"From which Rodger (speaking of his grandfather) descended Robert de Somervill, his grandsone, (sone of John; this is all that the English wrytter speakes of this worthie gentleman, the father of Robert,) who, haveing marryed Isobella, one of the daughters and co-heirs of Rodger de Merlie, a great barrone in Northumberland, in the fyfteinth year of the reigne of Edward the First, payed fyftie pounds for relief of the nonentrie of the barronie of the said Rodger de Merlie, and in the eighteine year of Edward the First obtained the king's licence for free warrants in all his demains and lands lyand within the lordship of Whichenour, Tuncastell, New-

bolte, Brideshouse, Sir Scotcurburgh, and Edlinghall, in the countie of Staffordshire; Witune, Wingates, Horsley, and Scheilds, in the countie of Northumberland, and Stoctu, in the countie of Ware: as also for a market every week upon Tuesday, at his manour of Eyrswase, in the countie of Staffordshire, and a fair yearly on the eve-day and morrow of Saint Laurence, and two dayes following. He dyed the twentieth and fyfth year of the reigne of Edward the First, leaveing issue Rodger, his sone and heir." Soe far the author of the English Antiquities, unto whom wee have been hitherto, as wee are for two generationes following, for the most part obleidged. As to the light wee have of these Memories allready written, save now and then some knowledge from the date of a few ancient charters in favours of abbacies and priories, wherin, as witnes the names, sirnames, and designationes of such persones as are included; and as they are likewayes in all evidences that I have of my oune, and seen belonging to other men, from all which I have truely and ingenuously extracted the wholl of these preceeding Memories.

Haveing now finished this man's life, and with it the peace of two nationes, that for three or four hundreth years, at least, had lived, if not in

perfect amitie, yet they wer without hostill invasione untill the year 1296, at which tyme the bloodyest and longest warr that ever was betwixt two nationes fell out, and continued two hundreth and sextie years, to the undoeing and ruineing of many noble families, with the slaughter of a million of men, amongst whom wee shall see two cousin-germans act ther parts upon this bloodie theatre; they being in oppositione because of ther severall kings and countries interest, which engadged them in honour to be enemies, notwithstanding of ther neer relatione by name and kindred.

Off William, the First of that Name, and second Barrone of Lintoune, younger Brother to Robert, Lord of Whichenour in England, both of them the Seventh from Sir Gualter de Somervill.

The house of Whichenour in England, and 1230.
that of Lintoune in Scotland, became now two distinct families by the death of John, the first Barrone of Lintoune, that had right to both these estates. To that in England, by his father Rodger de Somervill, and to that in Scotland, by the gift and donatione of his bountiful lord

and master King William, sirnamed the Lyon. They became again devyded by Robert de Somervill, his eldest sone and heir, possesseing and peaceably enjoying all his father's, or rather his grandfather Rodger de Somervill his lands in England, as now his younger brother William, by the father's donatione and the eldest brother's consent, did the barronie of Lintoune in Scotland, for his patrimonie. Of what age this gentleman was at his father's death is uncertaine; his eldest brother being but a stripling, it is not to be supposed that he was capable to manadge that considerable fortune left him by his father, therefore it is not to be doubted, that both the custodie of his persone, and the governement of his estate, was in the hands of his mother's relationes, ther being non of his father's now in Scotland, and therefore of his minoritie we can give noe account.

The kingdome of Scotland continueing in peace soe long as Alexander the Second lived, and the minoritie of Alexander the Third, ther was litle occasione given for any man to signalize himself upon the public account, every man liveing under his oune vine, and under his oune fig-tree, untill the rebellione of the Earles of Monteith, Atholl, and Buchan, but of this eftir-

THE CARROWEL AND THE NOIRS,

Two celebrated Salmon Casts in the River Tweed,

with the Woods and Farm house of Langlee, between the Towns of Galashiels and Melrose.

THE PROPERTY OF THE RIGHT HON.^BLE^ LORD SOMERVILLE.

The Rock in the center of the River in the foreground was the cause of a great loss of lives about twenty years ago. The Ferry Boat, full of people going to Melrose Fair, broke from its moorings and was swept to pieces on it. Twenty people were said to have been carried down by the current and drowned. The survivors swam to the Rock, & a horse [illegible] animal landed them all in safety.

ward; for William, Barrone of Lintoune, soe soon as he became a man, he attended the court; knowing by what meanes his father John had raised his fortune, he resolves to make some interest there, which shortly he did by his father's memorie, his oune vertue, and his mother's relationes, that in a few moneths eftir he came to court he was honoured with the same place his father had, of being the king's principall fallconar. I know very weill ther is not a few inhabitants in the south that attributes to this gentleman what was performed by his father, albeit they have nothing for them but two or three lynes of a rood ryme, which, when any treats of this matter, they repeat; I am allmost out of countenance to put them in writt, they are soe dull and without sense; however, they are these, such as they are, for I give them in the words they wer repeated to me by severall men inhabiting the toune of Gallow-Schields,* and others in the parochen of Lintoune. The ryme followes:

Wood Willie Somervill
Killed the worm of Wormandaill,

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* A market-town near the conflux of the Gala with the Tweed in Selkirkshire. The present Lord Somerville has a beautiful fishing-seat within two miles of this place.

For whilk he had all the lands of Lintoune,
And six mylles them about.*

This they have by traditione, but by a mistake of the name, for it was the father and not the sone that performed that actione, as is clear from what wee have allready written; it is true, this gentleman, by his constant attendance at the court, and his majesties favour, with the great additione he made to his estate by marrying Margaret Newbigging, daughter to Walter of Newbigging, made his name more recent in the memorie of the people in that peaceable age; and it is probable the name Willie, sounding better in the ryme than that of John, hes made them place the one for the other: but passing this, the first evidence or writ wee have of this gentleman, is the contract he makes with Walter of Newbigging when he marryed his only daughter. The contract, bond, or what else it may be named, is without either date or witnesses, or soe much as ther names subscrybeing, bearing only at the close of fourtie lynes, which is not very legible, these words: "In witnes wherof, wee hing to our sealles at Peebles in

* This seems to be a various edition of the popular rhyme affirmed to have been inscribed above the representation of the knight and monster on Linton church.

Tweeddale;" and indeed for the sealles themselves wee should have been as little the wiser, in regard the impressione of the armes is quite worne out, soe that this evidence should have served for nothing as to any light wee could have had from it, if the same had not in the bodie therof borne both ther names and designationes very distinctly, and that which is most legible in this contract, which at present is in the custodie of the Kerrs of Lintoune, and is weill keept by them, being one of the eldest evidences within the shyre of Roxburgh, or probably on this syde of the watter of Forth, of that nature.

The marriage of this lady brought the sirname of Somervill first to Clidsdaill, and got the barrones of Lintoune the right of proppertie on that shyre, she being heires of the villages and lands of Newbigging, the which, at that tyme, was neither a barronie of itself, nor yet included within that of Carnwath, the same not being erected into one, as to the best of my informatione, untill the later end of the reigne of King Robert the Bruce. But now it may be enquyred what sirname this gentlewoman was of, with whom William, Barrone of Lintoune, marryed? for seing in contract they are only named Walter of Newbigging, and Margaret, daughter and

appearand heir to Walter of Newbigging, by which designation wee are yet to seek for ther true sirnames, unless wee believe they wer Newbiggings to ther name, which undoubtedly was true; but ther is some objects against this, and gives these reasones for it; First, that in all writs and evidents extant at this day, wherin parties and witnesses are insert, if ther name, house, and lands, bear the same name, they are ever designed in that writt or evidence of that ilk, which forme of wrytting continues untill this very day. The second reason is, they alleadge ther is non of the sirname of Newbigging knoune at this present tyme, which makes them doubt whether or not ther hes been any such of that name, for it is certane ther is noe sirname that ever was in Scotland soe extinguished, but that ther is some of high or low degree to be found of the same sirname, with a litle variatione, as could be instanced in several sirnames now in Scotland. The third and last reasone wherby they would allmost perswad us that ther was never any such sirname is, that, notwithstanding all the bookes of herauldrie belonging to the Lyon King of Armes hes been searched, they have not found the name or armes of Newbigging, albeit it be certane that all the ancient armes of any sirname in Scotland is to be found there.

These reasones, in my opinione, are of noe moment; the first being frivolous, that the omissione of a wrytter or nottar, in the poynt of a designatione, should have any weight as to a man's not being of the same name with his house or lands. And as for the second reasone, it is a grosse mistake, ther being yet of the sirname of the Newbiggings existant at this very day. For the third reasone, which appeares soe convinceing, wee have late experience of the fallacie therof in the book of herauldrie, written by Sir George M'Kenzie, wherin is omitted severall sirnames that are of great antiquitie in this kingdome, such as Gillchrists, Lennox, Lorne, Hallidays, Weirs, Warrock, Herrings, Libbertounes, Penniecookes, Fairlies, Falles, Telphers, and the sirname of Somervill, and very many others, which certanely are known not only to be of great antiquitie, but severalls of them to have been noble families in Scotland, and ther sirnames existing at this present; now wer it not ridicolus for any man to alleadge that ther is not, nor wer not any such sirname, because Sir George M'Kenzie hes omitted, or out of prejudice hes neglected to give these sirnames a place in his book of herauldrie? But whatever may be in this, of the being or not being of the sirname of Newbigging, I

shall not farther contend, but take it for granted, as it is certane they have been persones in that age of good qualitie and respect, that this gentleman marryed with him, and that his sone in the following generatione was better knoune by the designatione of Newbigging then Lintoune.

But now ther comes a questione of greater difficultie to resolve: How the toune and lands of Newbigging returned to that sirname again? as wee find they wer by charter granted by Thomas Somervill, Barrone of Carnwath, and the first Lord Somervill, to and in favours of William Newbigging, designed his cussing, by which we understand the proppertie of that land at the tyme to belong to the Newbiggings, and from them, in the next age, to be in the hand of the Livingstones of Jerviswood, and the next generatione after that, the third of the proppertie of the same land to belong to Hugh Lord Somervill, first of that name, who left them, with severall lands, to Hugh Somervill of Spittell, his youngest sone; all these severall convoyances wee are utterly ignorant of, and therfore can give noe account of the same, either from our owne papers, or any other evidences belonging to other gentlemen that wee have yet seen, and therfore I leave it to a farther discovery, and re-

turn to the gentleman whose memorie I have in hand, who, being still at court, and in the same imployment his father had in the service of this king, liveing in much reputatione in the countrie, haveing the favour of his prince, Alexander the Second, and was honoured to be one of his retinue when he went to France, and renewed the ancient band, that nether of the princes should receive the enemies of the others realmes, nor marry with any stranger, the one not making the other privie therto.

Much about this tyme dyed Jean Queen of Scotland, without any successione; therfore, the next year the king marryes with Mary, daughter to Inglaram Earle of Cowsie, a lady of great beauty, whom his majestie receaved at his castle of Roxburgh, haveing most of the nobilitie and barrones in the south attending upon him; amongst others, William, Barrone of Lintoune, was remarkeable, because of his dexteritie in tilting and exercise, much in use in that age, because of the usefullness of that weapon in the tyme of warr. 1239.

Alexander the Second dying, his son Alexander the Third succeeded in the year of Christ 1249, being at his coronatione but nyne years of age. Some sex years eftir that, the Kings of 1249.

England and Scotland, with ther barrones, conveened in York, where King Hendrie the Third of England's daughter, named Margaret, was marryed to King Alexander, being but in the sexteinth year of his age. William, Barrone of Lintoune, because of his place, was one of that
1256. honourable company that attended his majestie, and was present at that great solemnitie, as being a gentleman whose predecessors for several generationes had been of English extractione; and at that very tyme his cussing, Rodger de Somerey, was a great favoritie of King Hendrie's, and his oune elder brother, of eminent rank, possessing many barronies and lordships, both in the south, west, and north of England, left to him partly by his predecessors, but exceedingly increased by his marrying Isobella de Merley, the daughter and co-heir of Sir Rodger de Merley, a great barrone in Northumberland, in whose right he possessed a great inheritance there. This solemnitie being over, and his majestie returned, willing to execute justice, he summoned the Earle of Monteith, Atholl, and Buchan, with the Lord of Strabogie, which wer then all of the sirname of Cummings. These noblemen, not compearing, wer denounced rebelles; wherupon they, with ther assistances,

surprized the king, and imprisones him in Stirling, a certane space from which; at lenth his majestie being releaved, whether by pactione or force it is uncertane, for the authors of our histories are silent herein. The king was engadged in a more dangerous warr by Ancho King of Norrowayes comeing into the isles with many Daines, against whom King Alexander marches with a great armie; and, eftir a long and cruell battell, obtained at lenth a famous victorie, leaveing twentieth and four thousand of his enemies dead upon the place: this was the last expeditione and service wherin William, Barrone of Lintoune, accompanied his royall master, being then, as may be supposed, about the sextieth year of his age, if wee calculate from his father's death, and his own entrie to the estate in the year 1230.

As to the year of this gentleman's death, nor 1280.
the age he was of at the tyme, wee conclude nothing, nor of his particular actings have wee any certanety, more nor what is related, only it may be supposed he was dead before the year 1280, because wee find him not mentioned at that tyme in the transactione that was betwixt his sone Sir Walter de Somervill and Sir David Barclay, whose sister he marryed; what children

he had with his Lady Margaret Newbigging, besyde his eldest son Sir Walter mentioned in Wallace his book, and William, to whom he gave a ten merk land within the barronie of Lintoune, is altogither unknoune, for Sir Walter, his eldest sone, succeeded to his father and his fortune, both in the south and west: as for this worthie gentleman, he dyed some fyfteinth or sexteinth years before his eldest brother Robert, Lord of Whichenour, and lyes buryed at Lintoune church, which was the ordinary buriall place for the Barrones of Lintoune, untill the building of the collegiat church of Carnwath, by Thomas, the first Lord Somervill, in or about the year of Christ 1424, which became then, and eftirward, the ordinary buriall place of the Lords Somervills untill the year 1602.

Off Rodger, the fourth of that Name, the eight Barrone or Lord of Whichenour in England.

Haveing finished the memories of the two brethren, Robert and William, the elder whereof out-lived the younger sexteinth years, wee come now to write of his sone Rodger, the fourth of that name, and eight Barrone or Lord of Whiche-

nour; but because I have non of the evidences of that house in my custody, I have keeped exactly with the author of the English Antiquities, and given you ther words in the wholl narratione of the foirgoeing memories relating to the house of Whichenour, as any may observe that will be pleased to peruse that author.

Rodger, sone to Robert, in the twentieth and third year of Edward the First, was in the Scottish warrs; wherupon, in the parliament held the next ensueing year, he petitioned to have allowance for his service done in that expeditione, haveing then been in the retinue of Hendrie de Peircie, and marched from Carlile to Berwicke by the command of Prince Edward.

In the eight year of Edward the Second, he receaved command to goe to Newcastle-upon-Tyne upon the festival of the blessed Virgin's assumptione, weill fitted with horses and armes to resist the incursione of the Scots; and in the sexteinth year of Edward the Second he was constitute sherreff of Yorkshyre, and governour of the castle of York. This Rodger left issue, Rodger, his son and heir, whose memorie wee shall give eftir that wee have written of his cussing, Sir Walter of Newbigging and Lintoune.

1280. *Off Sir Gualter de Somervill, the third of that Name, the third Barrone of Lintoune, the first of Newbigging, the eight from Sir Gualter de Somervill of Whichenour in England.*

Alexander the Third being in the threttieth or threttieth and one year of his reigne, and the country in perfect peace, the nobilitie and gentrie offen frequented the court; amongst others Sir Walter of Newbigging and Lintoune, being a brave and noble young gentleman, for the most part, both before and eftir his father's death, attended the same, being in favour with Alexander the Third, by whom he was knighted, at the tyme when his sone, Prince Alexander, was marryed upon the Earle of Flanders daughter att Roxburgh castle. The solemnitie of that marriage being over, Sir Walter returnes to the tour of Lintoune, then his ordinary residence, untill the king's goeing north, and then attended his majestie in that progresse, wherby he had the acquaintance of Sir David Barclay, whose sister, Effie Barclay, he the same year marryed in *anno* 1282; as may be conjectured from a band of mandrey* (for a contract of mar-

* A band of manrent was an engagement to rise in arms at

riage, or any other evidence relating to this affair, wee have non extant) betwext Sir Walter and Sir David, wherin, besydes ther ordinarie designatione of Newbigging and Towie, they are called brethren in law. It is from the mutuall band, or contract, of mandrey, that we have any light, either of the person to whom, or the tyme about which Sir Walter of Newbigging was marryed, therefore I think it not amisse to insert the same in this gentleman's memorie, because of its antiquitie. The band followes :—

"Be it kend till all men be thir present letters, 1281
me, Sir Walter of Newbigging, and me, Sir David of Towie, for all the dayes of our lyves to be obleidged and bound be the faith of our bodies and thir present letters in mandred, and sworne counsell as brothers in law, to be with one another in all actiones, causes, and quarrills pertaineing to us, both in peace and in warr, against all that lyves and dyes, excepting our alleadgeance to our soveraigne lord the king. In witnes of the whilk thing, and of ther present letters, wee have hung to our scalles att Aberdean, the twentieth day of Apryle, the year of God, 1281,

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the call of the person to whom it was granted. These obligations were very common in Scotland. The word is variously spelled, *manrent*, *manred*, *manreden*, and *moraden*.

before ther witnesses, William Somervill, our brother, and John Somervill and Thomas Stelfeir." To this band of mandrey is appended two sealles, very legible and knowne, for the Somervills and Barclayes differed nothing from what they are at present, save a little in the placeing of the armes. What this John Somervill, here mentioned as a witness, was, I find not, nor cannot understand, unles he hes been either a lawfull begotten or natural sone of William, Barrone of Lintoune, or his father's, for at this tyme ther was noe others of that sirname in Scotland.

What this gentleman's particular actings wer dureing the reigne of Alexander the Third and eftir, untill the tyme that that unhappie warr fell out which involved our natione in a chaos of confusione, and allmost extinguished the memories of these tymes, persones, and circumstances, whereby wee might have had any knowledge of ther actiones for the future, soe ther is nothing of this gentleman upon record but what is allready related, untill the peace of the country was at first interrupted in the year 1286, or, as some authors have it, 1285. By Alexander the Third's being pitiefully taken away by a fall from his horse over the west craig of Kinghorne, without any issue of his bodie alyve, in him the

wholl posteritie of his father, Alexander the Second, and grandfather, William, sirnamed the Lyon, being extinguished, the right of the croune fell to the heirs of David, Earle of Huntingtoune and Carrick, youngest brother to William the Lyon, as you may read at lenth in our chronicles.*

The seven years governments of the sex regents being out, and Balioll, by a private compact with King Edward the First of England, established upon the throne of Scotland in *anno* 1291, or rather in *anno* 1292, which is more probable, if wee make our calculationes right according to some forgoeing circumstances observeable in the wrytters of these tymes, which bring Balioll either a year too sone, or a year too late, to the croune, as you may observe in the author of the Abridgement of the Scots Chronicles, who places him not untill the year 1292.

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* Upon the death of Alexander was composed the rude dirge,—

When Alexander our king was dead,
Who Scotland led in luve and lé,
Awa was sonce of ale and bread,
Of wine and wace, of gam and glé;
Christ born into virginity,
Succour pour Scotland, and remew
That stad is in perplexitie.

1293, which is, as I understand, a year too long; for its knowne the peace of our natione was quyte broke in the year 1296, and that author makes Balioll to reigne four years, and then to be expelled by Edward the First, and sent into France, where he dyed long eftir in exile.*

1296. Balioll being removed, Edward King of England, by the strong hand, takes possessione of the kingdome of Scotland, and is crouned at Scoon, having many of the greatest noblemen in Scotland vassalles and feudaries to him for many lands which they held in England, partly for great service done to him and his father Hendrie the Third, partly also by interchange of marriages and successione betwext the two nationes, which for a long tyme had lived in perfect amitie and peace, as it had been one kingdome, but became now brocken by King Edward's cruell oppressiones, and destroying the wholl ancient monuments of our natione, dureing all which broyles ther happened great alterationes both in the general state of this kingdome, and in the overthrow of and advance-

* Our author is here right in his conjecture. John Baliol was crowned at Scone on St Andrew's day, 30th Nov. 1292, (W. Hemingford, I. 37.) and did homage to Edward for his kingdom at Newcastle, upon the 26th of December following.

ment of particular families: the first for betraying, the second for maintaineing ther countries freedome and wellfare, amongst which number, Sir Walter of Newbigging and his two sones, Sir David and Sir John. The first of these gentlemen was knighted by Alexander the Third, and the last by King Robert the Bruce, eftir he came to the croune of Scotland; all of them wer noble assertors of ther countries libertie, and constant adherers to the Brucean partie, as is evident from the histories of these tymes, particularly that of Wallace and King Robert the Bruce's Bookes; we find Sir Gualter of Newbigging, with his sone Sir David, had the honour to command the third bragad of horse at the battell of Biggar, which was fought in the later end of May, 1297, wherin both the father and the sone behaved themselves very worthilie. This battell being the first of any moment that Wallace gained, wherin Edward King of England the First being present himself, receaved a nottable overthrow, and Wallace soe much honour, that at a counsell held at the kirk of Foresse, he was choysen warden of Scotland, wherin he behaved himself very worthilie by his conduct and valour, with very small assistance acting wonders, to the admiratione of that age, and to all

succeeding generationes. He continued in that imployment, with great honour and advantage to his countrie, untill the envy and emulatione of the Balioll and Cumming factione stirred up the generalitie of the nobilitie against him, which made him resigne his wardenship at Saint Johnstoune; these passages I passe over with my accustomat brevitie, seing they are soe fully spocken to by all our authors.

Eftir the battell of Biggar, wherin Sir Walter of Newbigging and his sone Sir David was honoured with soe great command, and therin acted for ther countries freedome, notwithstanding they knew very weill that they themselves was lately of English extractione, and in that very battell ther cussing-german, Rodger, Lord of Whichenour, stood in oppositione against them, being then honoured by King Edward the First with the command of a regiment in the English armie that fought against them that day, as eftirwards shall appear when we give his memorie. We find nothing of Sir Walter, and his sone Sir David, more in any author upon record, nor yet is ther any privat evidence remaining that I know to informe us of ther particular actings farther nor what is allready related, neither can wee come to the knowledge whether Sir Walter or his

sone, Sir David, dyed first, and to which of the two, father or sone, John, Barrone of Lintoune and Newbigging, and the first of Carnwath, second sone to this Sir Walter, entered heir. All these severall circumstances, the exact years of ther deaths, and the particular place of ther burialls, through the confusione and iniquitie of that tyme, hes buryed all in perpetuall oblivione, only we find that, counting from the band of mandrey betwext Sir Walter and Sir David Barclay in *anno* 1280, untill the battell of Biggar, 1297, ther is sextienth years in which this gentleman was in actione, and certanely, if wee had missed these two foregoeing circumstances, wee should hardly been able to have given any account of this worthie gentleman's memorie, which haveing now finished, before we come to speak of his second sone, Sir John, the fourth Barrone of Lintoune and Newbigging, and first of Carnwath, wee will observe our ordinary methode in relating the life of Sir Rodger Somervill, the fyfth of that name, the nynth Lord or Barrone of Whichenour in England, grand-childe to Robert, who was grand-uncle to John, Barrone of Carnwath.

Of Rodger, the fyfth of that Name, the nynth Lord or Barrone of Whichenour in England.

Before wee give the memorie of Sir John, designed of Clidsdale, the first Barrone of Carnwath, and fourth of Lintoune, it's fitt wee observe our ordinary progresse dureing the continuance of the heirs male of the house of Whichenour; having already written the memorie of Rodger, the fourth of that name, and eight Lord of Whichenour, wee come to treat of his sone Rodger, the fyfth of that name, and nynth Lord of Whichenour; and herein also I shall observe my former methode, and give you what is to be said of this noble gentleman in the authors oune words.

This Rodger (speaking of Rodger the fourth) left issue, Rodger his sone and heir, who being a knight in the first year of King Edward the Third, was in the warrs of Scotland that year, and of the retinue of Thomas Lord Wrake of Liddell, soe likewayes in the seventh year of Edward the Third, but all that I can farther say of him is, that he gave the admissione of the church of Staingtoune to the monkes of Newmonster, juxta Morpeth, in the countie of Northumberland. And haveing been summoned to the parliament, to witt,

nobilitat, and made ane peer of England amongst the barrones of this realme in the first year of Edward the Third, but no more. Departed this life the fyfteinth of the calends of February, in the tenth year of the reigne of Edward the Third, and was buryed at Burtoune, in the countie of Eber, leaving Sir Philip de Somervill, Knight, his brother and heir, fyftieth years of age, who thereupon doeing his homage had levery of his lands.

Of John, the second of that Name, the fourth Barrone of Lintoune and Newbigging, the first Barrone of Carnwath, and the nynth from Sir Gualter de Somervill, Lord of Whichenour in England.

Sir Gualter and Sir David his eldest sone being dead some tyme before King Robert the Bruce was crouned at Scoon, the barronie of Lintoune and lands of Newbigging falls to John, second sone to Sir Walter and brother to Sir David; which of the two, father or sone, dyed first, and to whom of them John Barrone of Carnwath entered heir, his father or brother, wee cannot tell, ther being nothing from the year 1296 to the year 1314, but slaughter, burneing and ruineing the 1306.

principall houses and families of both parties. The Balion and Brucean factiones still contending, and the Kings of England takeing ther advantages to destroy both, and secure the kingdome of Scotland to themselves, which they often attempted dureing the space of eighteinth or nyneteinth years, sometymes with good, and at other tymes with bad successe, as may be knowne from the histories of that age, who tell us plainly, that ther was not one familie in all Scotland that suffered not more or lesse in that universall deludge that sweept away many families and names that now wee have not, and of uthers left us nothing to the purpose but the bare remembrance of ther being, and some pettie circumstances scarce worthie the nameing; for so great was the malice of Edward the First, that his endeavours tended to noe lesse then to extinguish the very memorie of our being a natione. What may then be expected from the year 1296 to the year 1300, or rather unto the year 1366, some ten years before King David Bruce dyed, as to the knowledge of these tymes, I leave it to any rationall man to conjecture. However, as in the darkest and cloudyest nights ther appeares now and then the twinklings of a star wherby a man may direct his course to some airth, soe in this blacknes of our

countries afflictione wee are not altogither left without the remembrance of some mens memories who acted in the behalf of ther king and countryes interest, wherof John Barrone of Lintoune and Carnwath made one. This gentleman was neer to mans state much about the tyme of his father Sir Walter's death, who had not been wanting to informe him of the miserable conditione of his native country, through the oppressione of English, and the difference anent the successione to the croune, which gave the first occasione and opportunitie for them soe to enslave the natione. He shewed him that Balioll being fallen from the croune (as weill as from the favour of his subjects) by his unworthie transactione with Edward the First, the right of successione remained in Robert the Bruce; therefore, as soon as God should give opportunitie, he charged his sone, as he tendered the honour and favour of his prince, the peace and freedome of his country, the happynes and prosperitie of his oune familie, and that estate whereunto he had fallen in Clidsdale by his grand-mother, that he should with the first attend the kings comeing to Scotland, and proffer his service, life, and fortune to his majestie, as a faithfull and duetyfull subject was obleidged to doe. This command of

his father he punctually observed, for noe sooner did King Robert appear (Wallace being betrayed by Sir John Monteith and martyred at London, in *anno* 1306,) but immediately he joyned with the king, as is evident from the first and second pages of the histories of that king's reigne, and was still with him untill the battell at Methvin-wood neer St Johnstoune,[1] where, with other

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[1] Barbour enumerates Somerville among the other patriot nobles who adhered to Bruce's standard when it was first displayed:—

The King Robert wyst he wer thair,
And quhat kyn chyftanys with him war,
And assemblyt all his mengye;
He had feyle off full gret bounté,
Bot thair fayis wer mar than thai,
Be fifteen hundred, as I've hard say.
The quhene he had thair, at that ned,
Full feill that war douchty of deid;
And barownys that was bauld as bar;
Twa Erles alsua with hym war,
Of Lenyvax and Atholl war thai;
Eduuard the Brwyse was thar alsa,
Thomas Randall, and Hew de le Hay,
And Schyr David the Berclay,
Fresale, *Summirwile*, and Inchmertyn;
James of Dowglas thair wis syne,
That yheyit than wis bot litill of mycht:
And other fele folk forsye in fycht,
Bot I cannot tell quhat thai hycht.

Booke II. line 225.

persones of qualitie, it was his misfortune to be taken prisoner, and obleidged to the will and pleasure of the victores for saveing his life to promise fealty with the rest of the prisoners to the King of England, in which conditione he remained untill the king's better fortune freed him and others from this extorted engadgement. Ther is one thing I must take notice of as propper in the place, that during his abode at Methvin, he had the acquaintance and was familiar with the keeper of Methvin-woods daughter, who bore to him a natural sone named John, whose posteritie remains there as fosters of that wood untill this day, haveing no other inheretance but a house and two aikers of land as ther allowance for that service.

The year 1314 being come in which, upon the twentieth and one day of June, King Edward the 1314.

Somerville is again mentioned amongst the prisoners made by the English, after the Bruce was defeated at Methvin :—

Schyr Thomas Randall thair wis tane,
That then wis a young bacheler;
And Schyr Alexander Fraseyr;
And Schyr David the Breklay,
Inchmertyne, and Hew de le Hay,
And *Somirweil*, and othyr ma.

B. II. l. 405.

Second was encountered at Bannockburne by King Robert the Bruce, and eftir long and hard fighting his great armie was put to the rout, himself with a small company fleeing into Dumbar, was sent by the Earle of March into England in a fisher boat, leaveing many of his nobles and gentlemen killed and taken by the Scots.

1317. This victory freed Scotland from the English bondage, and gave them not only opportunitie to make divers incursiones upon the English to requyte the harmes receaved from them before, but also leasure to look eftir ther privat affaires, which had been quyte out of order and litle mynded for threttieth years preceeding, but now every man began to setle himself and his fortune according as he was able by his industrie or interest at court, wherein John, Barrone of Lintoune, as forward and fortunat as the best, haveing about this tyme marryed Elizabeth Douglas, daughter to James Douglas of Loudonhill, Kinnoull, Carnwath, and Calderclear, with whom he receaved in tocher, the toune and lands of Carnwath, eftirward with the lands of Newbigging erected into a barronie, to hold ward by King Robert the

1320. Bruce, in *anno* 1320, eftir which, and his father-in-laws death, for the most part he made his residence in Clidsdale, haveing built the double

tour in Carnwath toune, (the residence now of the present Earles of Carnwath,) where he dwelt, Cowthally castle then, as most of the pettie strengths in Scotland wer for the most part burnt or demolished by the iniquitie of the tymes.

Sir John, being now father to four sones, James, Walter, David, and John, and two daughters, which Lady Elizabeth Douglas had borne to him, he lived in peace untill the year 1329, and the year 1331, in which the two dyed, both King Robert the Bruce and Thomas Randell, Earle of Murray, Governour of Scotland, eftir whom Patrick, Earle of March, and David, Earle of Murray, being choysen governours, the civill warrs was renued by Edward Balioll, sone to John Balioll, umquill King of Scotland, being assisted with the forces of Edward the Third King of England, of a sudden he prevailles soe far that, haveing taken the toune of Perth, he is crouned there in the year 1332. Wherupon ensued as great warrs and as destructive as ever. The kingdome, nobilitie and gentrie, being again devyded betwext the Bruceon and Ballion parties dureing the minoritie of King David Bruce, which continued untill the year 1338, and some tyme eftir, with various successe, sometyme the one partie prevailling, and then the other, untill 1329.

at lenth the Ballion factione was subdued, and himself taken out of the kingdome by Edward the Third, and shortly thereftir David, King of Scotland, in *anno* 1342, with his queen, returnes out of France, holds a parliament, and gratifies these of the nobilitie, barrones, and gentlemen that had adhered to his oune and his fathers interest; but his royall bountie was fatal to non but Alexander Ramsay of Dalhoussie, who having done many exployts in favours of his prince and country, especially his takeing the castle of Roxburgh, in Tiviotdale, which the king conferred upon Ramsay as keeper, and withall the shirefship of Tiviotdale, which soe incensed William Douglas, Lord of Lidisdaill, that within three months efter Ramsay's installment, the Lord Lidisdaill surprizes him in Hawick exerciseing his office of shirefship, killes three of his men, wounds himself when he was looking for noe such thing, and being his prisoner, puts him in the Hermetage, where he was sterved to death, ane actione alltogither unworthie of the doer and receaver of that injurie; but what will not revenge, and some few punctilioes of slighted honour and supposed great deservings, prompt even gallant men unto? for such undoubtedly was this William Douglas, Lord of Lidesdale, called in

that age the Flower of Chevallry. But passing this and the materiall occurrances of that tyme, wherein the histories of the Douglasses is copious enough as to every punctilio and circumstance that might advance the glory of the Douglasses, which undoubtedly both then and untill the reign of King James the Second deserve very weill at the hands both of ther princes and country, for the many noble exploytes by them performed, especially dureing the tyme of this king's minoritie, and eftirward, as you may read at large in the historie of that familie. Amongst others that was partakers of the kings favour, Sir John Somervill, Barrone of Lintoune, obtaines a ratificatione of the lands of Carnwath, which he had gotten by his lady. This interest gave ground and occasione to that designatione he hes in severall papers which I have seen, to be called Sir John of Clidsdale, being at that tyme (abstracting from the Douglasses) one of the principall men in that country, next to Sir Andrew Murray, that was twice governor of Scotland, on whom Sir John Somervill depended, and was with him in the most of his expeditiones. This Sir Andrew Murray[1] had a great interest upon Clyde, but

[1] Sir Andrew Murray of Bothwell was for some time warden of Scotland, and gallantly supported the cause of David

where these lands lay in that shyre I find not upon record, but[1] the barronie of Bothwell, which eftirward the Douglasses gott by marrying the daughter of this Sir Andrew Murray, that was twice governor of Scotland. Ther was also one Magnus Mowbray, designed Lord of Clidesdale, who commanded the fourth squadrone at the seidge of Saint Johnstoune, in *anno* 1339. But what this man was, or where his estate lay upon Clyde, I find not in any author, being only named in the historie of the Douglasses.

In the year 1346, upon the seventienth day of October, was William, the tenth Barrone or Lord of Douglas, created Earle,[2] some few hours before that unfortunat battell of Durehame was foughten,

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Bruce. Winton records him as the best knight in Scotland after the death of Robert the Bruce.

> Schyre Andrew of Murraye gud and wicht,
> That was a bald and a stowt knycht,
> That nane better was in his day
> Fra the gud Kyng Robert wes away.

[1] i. e. *be out, except.*

[2] This is an error, which occasions Lord Hailes's observation, that the Scots are reformed from popery, but not from the fables of Hector Boece. Lord Douglas, son of the celebrated Tineman, was at this time in France, and did not return till 1348. William Douglas, the celebrated knight of Liddesdale, was one of the Scottish leaders at the battle of Durham, and was there made prisoner.

wherein the king with severall of his nobilitie was taken prisoners and many killed of eminent rank, amongst which James, eldest sone and appearand heir to John, Barrone of Carnwath, being then in the twentieth and sixth year of his age, was one of that number; this sad stroake made his father the same year contract Walter, now his eldest sone, upon Janet Preston, daughter to Sir Thomas Preston, eldest sone and appearand heir to Sir Laurence Preston, laird of Craig Miller. This gentleman, Sir Thomas Preston, with severall other persones of qualitie, was killed at the stormeing and takeing of the toune of Berwick; Sir William Douglas, and Sir David Ramsay of Dalhousie, in the year ensuing, 1347.[1] Being that year wherein this worthie gentleman dyed, he setles his other two sones, David and John, in the west. To David he gave the lands of Blackcastle, neer to Biggar, and to John the third of Newbigging, which efter this John dispones in favours of his eldest brother, Sir Walter, upon his marrying one Katharine Halliday, the heiresse of Mophit, or some lands neer by it. His eldest

[1] The capture of the town of Berwick is dated by Lord Hailes, after Fordun, in 1355.

daughter was marryed to Sir John Sandelands of Calder, who was father to Sir James, that marryed Uterin, or, as our wrytters calles her, Eleonora Defries, half sister to William, the first Earle of Douglas, who gave her, as sayes the history of Douglas, noe lesse then the barronie of West Calder, for her and her heirs whatsomever; for his youngest daughter she was marryed upon Sir Laurence Baird, of Posso in Tweeddale; thus wee see this noble gentleman to have provyded all his sones with competent fortunes, and to have marryed his daughters honourably; for himself dureing all the dayes of his life he was a constant follower of King Robert the Bruce, and ane adherer to his sone King David's interest when it was in the most desperate condition. Witnes his casting up a quantitie of earth of his lands upon the south-west of Carnwath toune, which makeing a litle hill, 'tis called yet *omnis terra*. This was the custome of these tymes, by which homage they that held the King of Scotland supreme under God wer distinguished from the Balion party, or such as owed any homage to the King of England.[1] By this worthie gentlemans still adhereing

[1] Of such a custom I believe we will find no other trace than the averment in the text. The little mound is still visible at

to the Brucean interest, he purchased much honour to himself and posteritie, secureing to them a great estate in Roxburghshyre and Clidesdale, which other men lost by endeavouring to uphold and maintaine the Ballion factione. As this gentleman was borne much about the tyme that the warrs first begun betwext Scotland and England, soe he dyed before ther was any expectatione that they would cease; King David being still prisoner in England, in the year 1347, of his oune age sextieth and fyve or therby, for any calculatione wee can make from his first appearing with King Robert the Bruce at the battell at Methvinwood, in *anno* 1306. He lyes buryed in the quier of Lintoune church with his predecessors.

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the west end of the village of Carnwath. It seems to have been designed for a vault, having an opening on the top as if to descend by a stair-case, but it is now choked up with rubbish. It is surrounded by a ditch and mound, and was probably designed as a cemetery. The name of *omnis terra* is borrowed from the mote-hill at Scone, which is fabled to have been composed at the period of the introduction of the feudal law into Scotland, by each baron bringing thither a handful of the earth of his lands in token of his surrendering them to the king to receive a feudal investiture.

Of Sir Philip de Somervill, the tenth Lord of Whichenour, the last of the Male Lyne of that House and Familie in England.

Being now to wryte of the last of the heirs male of the house of Whichenour, I shall not transgresse my former method, but proceed in the words of my author, and relate what is to be said of this nobleman, being the last male of this familie except the house of Rodger de Somerey, who was nephew to Rodger, the fyfth barrone of Whichenour, but I proceed to Sir Philips memorie, the last male of the house of Whichenour.

Sir Philip at his age of fyftieth years succeeded to his brother, Sir Rodger de Somervill, upon the fyfteinth of the calends of February, 1337, being the tenth year of the reigne of King Edward the Third, King of England; of which Sir Philip I find he was shirreff of the countie of Buckingame and Bedfoord in the first of Edward the Third, and held the manures of Whichenour, Suseet, Reidware, Nethertoune, Conlencall, (in the countie of Staffordshyre,) of the Earle of Longcaster, (then lord of the honour of Testory,) by these memorable services, which I have thought fitt here to expresse at large from ane ancient roll

of parchement written in the time of King Hendrie the Seventh, it being then a translatione put in English from the lyke roll in France, in the tyme of King Edward the Third, viz. by two small fies, that is to say, when other tennents pay for relieff ane wholl knights fie, ane hundreth shillings, he the said Sir Philip shall pay but fyftieth shillings, and when

Throughout the land or

for to make the eldest sone of the lord knight, or for to marry the eldest daughter of the lord, the said Sir Philip shall pay but the

of it that others shall pay, nevertheles the said Sir Philip shall find, maintaine, and sustaine, ane bacon slyke[1] hinging in his hall at Whichenour, ready arrayed all tymes of the year, but in Lentrone, to be given to every man or woman marryed eftir the day and year of the marriage be passed, and to be given to every man of religione, archbishop, bishop, prior, or other religious persone, and to every priest, eftir the year and day of ther professione finished, or of ther dignitie, in forme following, whensoever that any such beforenamed will come to enquyre for the bacon in

[1] This word has been inserted by another hand.

ther oune persone, or by any other for them. They shall come to the bailzie, or to the porter of the lordship of Whichenour, and shall say to them in the manner as followeth:

"Bailzie, or porter, I doe you to know that I am come for myself (or, if he come for another, shewing for whom) to demand one bacon slyke, hinging in the hall of the Lord of Whichenour, eftir the forme therunto belonging."

Eftir which relatione the bailzie, or porter, shall assigne a day to him upon promise by his seith to returne, and with him to bring tween of his nightbours, and in the mean tyme the bailzie shall take with him tween of his freeholders of the lordship of Whichenour, and they three shall goe to the manour of Rodlaw, belonging to Robert Knightlay, and they shall summon the said Knightlay, or his bailzie, commanding him to be ready at Whichenour the day appoynted at pryme of the day with his carriage, that is to say, a horse and a saddle, a seck and a prick, to convoy and carry the said bacon and corne a jeurny out of the county of Staffoordshyre at his costages, and then the said bailzie shall with the said freeholders summonds all the tennents of the said manour to be ready at the day appoynted at Whichenour, to doe and performe the service which they ow to the bacon; and at the day appoynted

all such as ow service to the bacon shall be ready at the gate of the manour of Whichenour from the sun ryseing to the noon, attending and waiting for the comeing of him that fetcheth the bacon, and when he is come in ther shall be delyvered to him and his fellowes chaplets, and to all these that shall be there to doe ther service due to the bacon, and they shall lead the said demandant with trumpets and and other manner of musicall seyes to the hall door, where he shall find the Lord of Whichenour or his steward ready to delyver the bacon in this manner.

He shall enquyre of him which demands the bacon, if he hes brought twyne of his nightbours with him, which must answer, They be here ready; and then the steward shall cause these two nightbours to swear if the said demandant be a woded man or have a man woded, and if since his marriage ane year and day passed, and if he be a free man or a villane, and if his said nightbours make oath that he hath for him all these three poyntes rehearsed, then shall the bacon be taken doune and brought to the hall door, and shall there be laid upon ane half quarter of wheat, and upon another of rye, and he that demandeth the bacon shall kneell upon his knee, and shall hold his right hand upon a book, which book shall be laid above

the bacon and the corne, and shall make oath in this manner:

"Hear ye, Sir Philip de Somervill of Whichenour, mentainer and giver of this bacon, that I answear, since I was weded be my wife, and since I had her in my keeping and at my will by a year and day eftir our marriage, I would not have changed for non other, fairer nor fouller, nor richer nor poorer, nor for non other descended of greater lineage, sleeping nor wakeing at noe tyme, and if the said before wer soll and seell, I would take her to be my wife before all the women of the world, of what conditione soever they be, good or evill, as help me God and his saints, and this flesh and all fleshes;" and his nightbours shall make oath that they trust verily that he hes said truely; and if it be found by his nightbours aforenamed that he be a freeman, then shall be delyvered to him half a quarter of wheat and a cheese, and if he be a villane, he shall have half a quarter of rye without cheese, and then shall Knightlay, Lord of Rodlaw, be called to carry all these things before rehearsed, and the said corn shall be laid upon ane horse and the bacon above it, and he to whom the bacon appertaineth shall ascend upon his horse, and shall take the cheese before him, if he have a horse, and if he have non, the

Lord of Whichenour shall let him have ane horse and a sadle at such tyme as he be passed his lordship, and so they shall depart the manour of Whichenour with the and the bacon before him that hath win it, with trumpets to and other and all the free tennents of Whichenour shall conduct him till he be passed the lordship of Whichenour, and then shall all they returne except him to whom it appertaineth to make the carriage and journey without the countie of Staffoordshyre, at the castle of his Lord of Whichenour; and if the said Robert Knightlay doe not cause the bacon and corne to be convoyed as is rehearsed, the Lord of Whichenour shall doe it be carryed, and shall distrinzie the said Robert Knightlay for ane hundred shillings in his manour of Rodlaw for his default, and shall keep the distresse so taken.

Moreover the said Sir Philip holds of his lord the Earle, the manour of Brideshall, by these services, that such tyme his said lord holdeth his Christmasse at Tuburty, upon Christmasse even, the said Sir Philip shall come to Tuburty, by the marshall of the earles house, and upon Christmasse day he himself, or some other knight his deputy, shall goe to the dresser, and shall shew to his lords messinger, and then shall he serve the

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same meat to his said lord, and this service shall he doe as weill at supper as at dinner ; and when his lord hes eaten, the said Sir Philip shall sit doune in the same place where his lord sat, and shall be served at his table by the same steward of the earles house upon Saint Stephans day; when he hath dyned he shall take leave of the lord and shall kisse him, and for his service he shall nothing take nor nothing shall give, and all these services eftir rehearsed the said Sir Philip to doe by the space of eightein years and his antecessores before him to his Lords Earles of Longcaster.

Item, The said Sir Philip holdeth of his said lord the earle his manours of Tatemhall and Drycot, in perchandry, by these services, that the said Sir Philip, or his acturny for him, shall come to the castle of Tutbury, upon Saint Peters day in August, which is called Lambasse, and shall show the steward or receaver that he is come thither to hunt and to catch his lords geese at the costage of his lord, wherupon the steward or receaver shall cause a horse and sadle to be delyvered to the said Sir Philip, at the pryce of fyftieth shillings, or fyftieth shillings in money and ane hundereth, and shall pay to the said Sir Philip every day from the said day of Saint Peter to Holyrood

day, for himself two shillings and sexpennies a day, and every day for his service and his bercellet dureing the said tyme twelve pence, and all the wood-masters of the forrest of Needwood and Duffeild, with all the parkers and forresters that shall belong to the lords lander, commanding them to convey it to the earles of Larden and Akding, at Tutbury, and with the remanent the said Sir Philip shall doe his pleasure; and upon Holyrood day the said Sir Philip shall returne to the castle of Tutbury upon the said horse, with his bercellet to the steward or receaver, and shall kisse the porter and depart.

This Sir Philip Somervill gave the church of Betton, in the county of Northumberland, with certane lands in that parish, to Balioll Colledge of Oxfoord, for the perpetuall mentinance of sex schollars, there to be elected out of the tounes neighbouring therto, but farther nor what is here expressed.

I have not seen any thing memorable of him but his death, which happened on the twentieth and third day of January, and the twentieth and nynth year of Edward the Third's reigne, he being then seased of the manour of Burcon Anneisse, in Cumberland; Eber Stocktoone, in Cumberland, neer Whichenour; Brideshall, Tanstall,

Alrewas, and Newbold, in the county of Staffoordshyre, as also of the manour of Tatunhall, in the same county, in right of Margaret his wife; likewayes of the manours of Turneswall, Plesselyes, Shoton, Benton Magna, and the moety of the toune Staingtoune, in the county of Northumberland, and of the moety of the manour of Drety, in the county of Livi,[1] haveing Jean, the wife of Sir Kliesse of Greith, knight, one of his daughters, and Maude the wife of John Staffoord, by Elizabeth his wife the other daughter, then[2] marryed to Edmond, the sone of John Vernone his next heir.

Soe for the author of the English Barronage, to whom both the ancient and noble families of England and some few in Scotland hes been more obleidged then to all the historians that wryte formerly; for these takeing in hand the affairs of church and state, in generall conceaved themselves noe further interessed than to minde and leave to posterity the more publict transactiones of these tymes, and the principall persones that wer actors therin, without takeing notice of other men and ther families of as good qualitie and opulent fortunes as these in place by the fa-

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[1] *Sic in orig.*

[2] *i. e.* afterwards.

vour of the court, wherin they wer often imployed, nether to the honour of themselves nor advantage of ther posteritie, as is observeable from the histories of these tymes; as for this author of the English Barronage, he undertook a worke of greater difficultie and more laborious, which was impossible for him to make any progresse in without the search of every privat nobleman or gentleman's evidences as weill as the ancient scrolles and records of antiquitie, wherby his indefatigable paines and industry, he hes brought to light the memories of all the noble families of England, ther originall ryse, progresse, greatness, continuance, and dissolutione of such of them as are not now in being, and that with the greatest faithfullnes and ingenuity imaginable, for which he deserves the perpetuall thankes of all the ancient families in England and some in Scotland, wherof wee ought to contribute our share as much as any from the foirgoeing memories, which now wee have continued from the knowledge wee have had from that worthie author, from our sirnames first aryveall in Brittane, 1066, to the year 1356, being the space of two hundereth and nynetieth years, had now its end in this nobleman, as to the male lyne, but was transmitted by the marriage of his daughter to two noble families, that

of the Staffords and Vernon, both of them raised to ther greatness by the additione of Sir Philip de Somervill's estate. The first of these families, to witt, the Staffords, became Dukes of Buckingame, and suffered much in ther honour, persones, and fortunes, in the bloody controversies betwext the houses of York and Longcaster, as did Sir Richard Vernon, grandchilde to Sir Philip de Somervill by his youngest daughter. The which Sir Richard was execute by Hendry the Fourth, for adhereing to Richard the Second, King of England, sone to Edward the Black Prince, unjustly putt from his throne by the foirnamed Hendry, designed of Ballingbrook, the sone of John Duke of Longcaster, the fourth sone of King Edward the Third, as may be read in the English chronicles.

The house of Whichenour being now extinct, and with it the sirname of the Somervills, out of England, for any thing wee know or hes upon record, unless the familie of Rodger de Somerey be yet in being, which was the only cadite I find of the house of Whichenour in England, and therfore, before I finish this discourse, I shall only make two observations; the first being, that dureing two hundereth and nynetie years, the house of Whichenour continued both before an eftir

they wer transmitted to Scotland, and readmitted back again to England, by the good fortune of Robert, Lord of Whichenour. I find not upon record so much as one branch or cadite of that familie in England, save one allready made mentione of, and yet the house of Lintoune and Cowthally in a far shorter tyme produced severall, as may be seen in the foirgoeing progresse of these houses; my observe is, that it pleased the Almighty God by his good providence, much about the same tyme or some few years before that the house of Whichenour perished in England for want of an heir male, to raise the house of Lintoune and Cowthally, in Scotland, of the same noble stock, both to great honours and a great estate, by the valour and industry of Sir John Somervill, the fourth barrone of Lintoune, who dyed but nyne years before this Sir Philip de Somervill, Lord of Whichenour, whose memorie and familie being now extinct, wee are obleidged to confyne our discourse to the house of Lintoune and Cowthally, and such as are descended from them at present in the kingdome of Scotland.

Of Sir Walter, the fourth of that Name, the fyfth Barrone of Lintoune, the second of Carnwath, and the tenth from Sir Gaulter de Somervill, Lord of Whichenour, in England.[1]

The warrs still continuing from the year 1346 to the year 1358, dureing all the tyme of King David's captivitie, wherin ther is frequent mentione made by our historians of all or the most

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[1] Douglas places this Sir Walter Somerville as successor to Thomas, about the year 1300. This, however, will not accord with the remarkable events which preceded his marriage with Giles Heryng of Gilmertoune. There may indeed have been two Sir Walters, and the circumstance may have led to the author's mistake concerning Walter of Newbigging, whom, in the case supposed, he may have confused with the first Sir Walter Somerville, and so placed the succession of the latter at too early a period. But there seems to be further proof of a misnomer as to the Sir Walter of the text; for certainly the estate was about this time possessed by Sir Thomas Somerville, a person, it would seem, of no small importance, as is proved by the following circumstances:

First. Among the heirs of the principal nobles of Scotland, who, in 1354, were delivered into England as hostages for payment of the ransom of David II. we have Le Filz et Hoir [de] Monsieur Thomas Somervile.—*Rymer's Fœdera*, v. p. 792.

Second. In letters of safe conduct from the King of England to the Bishop of St Andrews, William of Douglas, and other

part of the principall noblemen and barrones that stood for the countries interest, and defended ther liberties with ther lyves and fortunes, recovering the same at lenth out of the English hands in de-

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Scottishmen of rank, dated 1362, we find the name of Thomas Somervyl de Scotia.—*Ibidem.* p. 395.

Third. In 1363, we find a similar safe conduct, which shall be given at length.

Pro quibusdam de Scotia ob devotionem in Angliam venturis.

Rex, &c. Salutem. Ann. D. 1363. An. 37. E. 3.

Sciatis quòd, Scot. 37. E. 3. m. 7.

Cum Thomas Somervill de Scotia Chivaler, ob Devotionem, quam ad gloriosum Martirem Sanctum Thomam, dudum Archiepiscopum Cantuariensem, habet, Limina ejusdem Sancti Martiris peregrè visitare intendat, et ea de causa in Regnum nostrum Angliæ de Licentia nostra sit venturus.

Suscepimus, &c. *ut in similis de Conductu Literis.*

Dumtamen Equos alios, quàm quos secum in Anglia duxerunt, extra idem regnum non educant quovis modo.

In cujus, &c. usque ad Festum Sancti Michaelis, proximò futurum, duraturas.

Teste Rege apud Westmonasterium, vicesimo sexto die Aprilis. *Per Concilium.*

Consimiles Literas Regis de Protectione habent subscripti, per idem tempus duraturas, sub eadem data; videlicet,

Johann de Ros de Scotia, cum Duabis Personis Equitibus.

Hugo de Egelyngton de Scotia Chivaler, cum Tribus Personis Equitibus.

Duncanus Waleys de Scotia Miles, cum Duobus Valettis et Tribus Equis, usque ad Festum Nativitatis Sancti Johannis Baptistæ, proximò futurum, duraturas.

Patricius de Hibburn de Scotia, cum Sex Sociis Equitibus, usque ad Festum Paschæ, proximò futurum, duraturas.

spyte of all the interest that Edward Ballion could make in his two attempts for the croune, with the assistance of his friends and followers and the help of England, wherin King Edward the Third now and then served him in his oune persone, but for his oune ends, as his grandfather did, John Ballion, the father of this Edward, to make the kingdome of Scotland his oune by conqueis.

These contendings and cydeings[1] within the kingdome still continueing, and the invasiones of England, ther is noe mentione made of Sir Walter Somervill, barrone of Lintoune and Carnwath, by any author that yet I have seen, which makes me believe he hes had noe inclinatione to be ane actor in the warrs, but hes been content to

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Alexander Episcopus Aberdenensis in Scotia, cum Duodecim Personis Equitibus, usque ad Festum Natalis Domini, proximò futurum, duraturas.

Willielmus de Rothum de Scotia, cum Sex Equitibus, usque ad Festum Paschæ, proximò futurum, duraturas.

Fourth. There is yet another safe conduct in 1666, for Thomas de Somervyle Miles cum quatuor socijs equitibus.—*Ibid.* p. 498.

These repeated visits to England were probably of a political as well as devotional tendency, ough the ostensible motive was a pilgrimage to St Thomas of Canterbury.

Walter, who married Egidia Heryng, was probably the son and heir of this Thomas.

[1] *Sidings*, i. e. factions.

live at home in peace, as the troublesomenes of that tyme would allow him, makeing it his main busines to mannadge to the best advantage that considerable estate his father left him both in the south and in the west, haveing the barronie of Lintoune in the one and that of Carnwath in the other, wherin truely both his industry and good fortune failled him not in the great additione he made therto, somewhat by purchases, but mostly by his marriages, dureing the reigne of King David and King Robert the Second, the first of the race of the Stewarts, all which appears from the writts and evidences yet extant particularly relateing to this gentleman, wherby it is wee give the narratione of his memorie, seing ther is nothing in the public records of him to direct us.

The king being returned from his captivitie, 1358, for fyve years made it his busines to setle and compose such disorders as wer amongst his subjects, fyneing some, forfaulting others, rewarding his freinds and followers according as they had deserved or caryed dureing his absence. 1358.

In the year 1363, he keeped a parliament, where he proponed to the estates that they would give way to uniteing the two kingdomes of Scotland and England, seing himself had noe children, that Edward King of England, or his

sone, might be his successor; this motione was soe ill taken by all the nobilitie and barrones, that with one voyce they distasted the proposall, protesting that soe long as they were able to bear armes they would never give ther consent therunto,[1] whereupon the king for the present seemed to be dissatisfied with his parliament, and intertaine for some few years a grudge against the most eminent of them, but afterwards was weill enough satisfied by that confirmatione of ther loyaltie to him and his successor; it was from these fyve preceeding years and that followed to the end of his reigne, (being peaceable) that gave opportunitie to the nobilitie and gentrie to look eftir ther privat affaires, which had been quyte out of order and all forme for fourscore years preceeding; the best titles wherby any man possessed his estate was by the lenth of his arme, and the sharpeness of his sword; but now the strenth of the one being abated, and the edge of the other blunted, by the laws havcing the full

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[1] There never was a more unanimous response to a sovereign from his great council:—"Cui breviter, et sine ulteriore deliberatione aut retractione, responsum fuit per universaliter singulos et singulariter universos de tribus statibus, *Nunquam se velle consentire Anglicum super se regnare.*"—Fordun, Lib. xvi. cap. 25.

force, constrained both the nobilitie and gentrie to secure the right they had to ther estates and possessiones by charters or instruments from ther immediate superior, fearing, as they had good reasone, they or ther successors might be brought in questione for what at present they were in possessione of, seing, for the most part, it had been other men's inheretances and lands, who had been forefaulted for adhereing to the Balliol factione, wherunto they or ther fathers had gotten from the present king, or his predecessors, a donatione without any other title than a naked grant for service done to them and the croune of Scotland. Wherby it comes to passe that at this day (if men would be ingenuous and acknowledge the truth) that most, if not all, the ancient charters of confirmatione, instruments, evidences or writs, the eldest of our nobilitie and gentrie have, beare dait from this king's reigne, either after he returned out of France, 1342, or after his releisment from captivitie out of England, 1358; and if ther be any others that pretend to have charters of ancienter daites, they will allow me to be Thomas in the caice, not to believe them till they be brought to light. It's true ther is some ancient evidences granted by abbots and priors to these that held land or fewes of the church, wherof ther

are some yet remaining of a more ancient dait; but these daits are but conjecturall at the best, seing they have not for the greatest part of them the year of God insert, to know their antiquitie by, but only it may be guessed at by the designatione of the popes, abbots, and priors, that lived in the tyme of the granting and the witnesses insert in the bodie of the writt, wherof I have seen some bearing dait about the twentieth year of David the First his reigne, and the tenth of Milcolumbus Quartus his reigne, and severall others in the reigne of William, sirnamed the Lyon, and soe douneward to the later end of the reigne of Alexander the Third; these being indeed the most ancient evidences that are to be found in Scotland, remaining in the hands of the barrones and gentlemen that wer feudaries to the church, wherof a very mean man, of the sirname of Somervill, has ane ancient feu in the toune of Kelso, holding of that abbacie, which shall be spoken to in its place.[1]

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[1] In this digression, the author of the Memoirs speaks like a sensible and sound antiquary. It may be presumed that the destruction of writings, as well as the rapid transference of property during the wars of Bruce and Baliol, had annihilated the evidence of the land-rights of most great families. Smaller possessions were as yet held chiefly by occupancy.

For this gentleman of whom we now wryte, he 1365.
has ane instrument containeing two charters 1369.
granted to him by King David Bruce; the one
in *anno* 1365, and the other in *anno* 1369, in both
which his majestie confirmes and ratifies all former rights and charters granted by himself or his father, of blessed memorie, to and in favours of Sir Walter de Somervill, sone and heir to his father Sir John, of the barronie of Lintoune and Carnwath, to hold ward of him and his successors: ther are witnesses in both the charters, Robert Stewart, eftirward king, William Earle of Douglasse, Adam Bishop of Breichen, Chancellour of Scotland, with several others whose names and designationes are not soe distinct that wee can give perfyte knowledge of them, because the instrument hes been spoyled with rain. Both the charters are in one parchment, the first included in the later; a custome, as it would seem, then in use, as may appear from other charters of the same tyme of the barronie of Cambusnethan, wherof ane account shall be given when that estate falles unto the house of Lintoune and Carnwath, which it did the age ensueing.

King David dying in *anno* 1370, the nobles 1370.
and barrones conveine at Lythgow, for the electione of a king, as if the right of Robert Stewart

had been questionable, being nephew to the late king, and grandchilde to King Robert the Bruce, by his eldest daughter Marjorie, marryed to Walter the Great Steward of Scotland, father to this Robert, to whom the right of the croune now belonged. But this demurre was occasioned by William Earle of Douglasse, that clamed the croune, by right of the Balliol blood, from David Earle of Huntingtoune, from whom Robert the First had likewayes deryved his right to the croune of Scotland, against John Balioll, that contended with him then, as now the Earle of Douglasse did with his grandchilde Robert the Second, the first king of the name of Stewart. This mist was soon cleared up notwithstanding of the force the earle thought to have backed his pretentiones with, and that partly by his oune confessione eftir he had advysed with his friends, but mostly because he found the generalitie of the barrones against him in his pretentione, in the prosecutione wherof at first he had engadged his kindred, freinds, and vassalls, and conveened them in order to his clame. Amongst others of his neighbours he invited Sir Walter, barrone of Carnwath, as his allya, being grandchilde to James Douglasse of Loudoune-hill, by his daughter Elizabeth Douglasse, heiresse of the toune and lands of

Carnwath. This proposall Sir Walter flatly refused, remembering his father, grandfather, and uncle, had constantly adhered to the Brucean partie, and wer, by the favour of the two preceeding kings of that race, both honoured and rewarded;[1] what effects this denyall had, good or bad, is unknowne, or that the Earles of Douglasse ever receaved the same I find not upon record; but it's certane the house of Cowthally nether before nor eftirwards held any land of that familie, nor had any maner of dependencie upon them for all their greatnes; it's true indeed, at the same tyme and many years eftirward, the Earles of Douglasse had barrones of as good qualitie and as opulent fortunes followers on them, as the barrones of Lintoune and Carnwath, as you may read in the preface of the author of the Douglasses in generall, where he enumerats many noble families that wer ther followers, but that the house of Cowthally did soe (notwithstanding of their neer neighbourhead to that familie) noe man will averre. The familie of Cambusnethan haveing matched

[1] Other families connected with the Douglasses by relationship or dependence, also declined to back their pretensions to the crown. The pretensions of the Baliol family, which had so nearly proved fatal to the independence of Scotland, were an unpopular foundation for this ambitious claim.

with them long efter, in *anno* 1480, became stout asserters of the house of Angus ther quarrells, and was lyke to have suffered for the same, both in ther persones and estates, as shall be made knoune when we come to wryte of these tymes.

1371. Much about the beginning of this king's reigne, ther happened a sad accident in the familie of Sir John Herring, laird of Edmondstoune in Clidesdale, and of Gillmertoune in Mid Lothian. This gentleman haveing two beautifull daughters, the eldest named Margaret, and the youngest Geilles, both in expectatione to be sharers in a great part of ther father's estate, because he had no male children of his oune bodie, but a brother's sone named Patrick, whom he designed to have marryed upon his eldest daughter, and given him the greatest part of his lands eftir his death; but the miscarriage of his eldest daughter, which had a tragicall end, frustrated all his hope and expectatione that way. For this young lady, as she was beautifull, inclyneing to melanchollie, appeared to be very devote, in observeing strictly all rites and ceremonies of religione then in use, wherby it came to passe, frequenting much the abbacie of Newbotle, she became acquainted with a young monk of the Sistertian order, or the refyned Benedicts, belonging to that abbacie, who

haveing insinuated himself much in her favour under ane specious pretext of holynes, did often converse with this lady in her most private reteirements both in the abbacie, and at her father's house in Gillmertoune, without the least suspitione that he intended any villainie; but this rascal, by his divellish rhetorick and allurements, soe far prevailled upon the simplicitie of this gentlewoman, that at lenth he deboshed her; and, because he thought nether the abbacie nor her father's house to be safe for their intrigues of love, they agreed their meeting should be at a litle ferme belonging to John Herring, called the Grange, a quarter of a myle or therby from Gillmertoune, neer by the road that leads to Newbotle. The mistress of this country house being a young and a lascivious widow, some tyme before had been ensnared and played the wanton with his comerad; this house was therfore thought the most convenient for them to meet at, which they often did, to the great scandall of the monkes professione, and dishonour of the women, especially of the young ladie, which occasioned all ther ruines in the end. For notwithstanding of the secresie of this affair and circumspectione for appoynting fitt hours for their deeds of darkenes, yet ther was some suspitione from the too much familiaritie be-

twext Sir John's daughter and this woman soe far below her qualitie; ther often being togither, and the frequenting of her house, gave occasione of scandall to all, which comeing to Sir John's ears, being a forward and furious man, he threatened his daughter with noe lesse than death, if ever it came to his knowledge that she went to the Grange, or frequented that woman's companie eftirwards. This she promised to her father to observe, but with noe intentione to keep the same; for noe sooner was the darkenes of the ensueing night come, but at her accustomed hours she goes out at the back entry that leads to the Grange, where the two brothers in iniquitie had aryved some tyme before, to whom eftir ther dalliance she imparts her father's suspitione and terrible threatnings against her, which these gallants litle regarded, protesting that they would make her father doe pennance for that very suspitione, litle dreameing that they themselves was soe neer destructione, for that very night all of them was brought to their end by a cruell revenge; for Sir John, missing his daughter out of her chamber, concluded where she was, and went presently to the place with two of his domesticks, where finding the doors of the house shut, and noe answear made to his demands, nor the doors opened not-

withstanding of his threatnings, in a rage he sets fyre to the thatch with a[1] his servant caryed, which immediatly (the wind being somewhat high) set the wholl onsteed in a fyre, and burned it doune to the ground.[2] Ther perished in the flame and ruines above eight or nine persones, for which cruell act, as it was highly aggravated in all the horrible circumstances by the churchmen then in being, this poor gentleman was forced to flee the country for a tyme, his estate being forefaulted by the king. Dureing his retirement, he corresponds with none soe much as with Sir Walter, barrone of Carnwath, of whom he held the lands of Carsewall as a part of that barronie. The neer neighbourhead of Edmondstoune in Clidesdale and Carnwath, with some relatione of kindred betwext these two families, had, before this unhappie accident fell out, made them very intimate, soe that they communicated most of ther affaires one to another, and advysed togither how to prosecute the same.

Sir John being now a banished man, and his 1372.

[1] The blank in the MS. may be supplied by "torch," or otherwise at the reader's pleasure.

[2] Gilmerton-Grange, where this tragedy was acted, is near the village of Gilmerton, about four miles from Edinburgh. It is still called by the old people *Burntdole*, from that singular and melancholy event, which is well remembered in the vicinage.

estate forefaulted, craves both the counsell and help of his friends and superiors, how to behave in this busines, and what was the readyest way to reconcile himself, first to the church and then to the king, against whom and the lawes he had grievously offended; for the friends or relationes of these persones that perished in the fyre being but of mean qualitie, he was not very apprehensive of much opposition from them in order to his reconciliatione, seing a litle money might take them off. This advertisement being given by ane expresse to Walter of Carnwath, he speedily returnes the bearer, with full assurance to Sir John Herring, that he would undertake his busines, and act therin as if it wer his oune concerne, by imploying all his interest and freindship, both in the church and court to doe him service, wherin he was as good as his word; for comeing first to the abbacie of Newbotle, he dealles effectually with the abbot and others of the principalls of that abbacie; representing to him and them how scandalous the lyves of these two monks had been a long tyme before ther acquaintance with that miserable lady, and yet their former villanies and that also was keeped up from the abbot's knowledge, to the great reproach of ther holy professione and prejudice of that abbacie, which men abhorred

now as the sink of all abominatione ; women shunning the sight of the monkes and friers therto belonging, as they would doe that of a bazilisk, which ther oune experience by sight and reports from other persones, might better confirme to them then all the informatione he was able to give. And, to perswad them the more easilie, he insinuats farther, that the nobilitie and gentrie took great indignatione for the affront put upon Sir John Herring's familie, by his eldest daughter and appearing heir being abused by men of ther professione, under a pretext of devotione, to her utter undoeing, wherin they conceaved all of them wer concerned, not knowing how soon it might be their oune caice ; therefore they spoke big, threatening to petitione the king, that all the monkes and friers might be for ever confyned to the abbacies and cloysters, as they wer by the order and first institution obleiged to. These, with some other reasones, used by Sir Walter of Carnwath, with the remembrance of the monkes ther monstruous fact, prevailled with the abbot and fraternitie to hearken to ane accomodatione, provydeing he would move the Bishop of Saint Andrews to procure the churches absolutione, seing Sir John Herring was excommunicat. Being satisfied with this answear from the abbot for the tyme,

his next business was with the king, to whom he goes, and is presented by Patrick, Bishop of Breichen, Chancellor of Scotland, for the tyme, 1372, to whom he had spoken first, and made him Sir John's friend. The chancellor informes the king, being then at his castle at Dundonald, what great remorse Sir John Herring had for imbrueing his hands in the blood of sacred persones, and transgresseing soe hyneously against his majestie and the knoune lawes of the kingdome; for expiatione of which crime, he was most willing and ready to undergoe any pennance the church will impose upon him, and submit to what punishment his majestie should inflict, personall or penall, his life and the memorie of his poor familie being preserved.

The king was very glad to hear this from a churchman, because his majestie was apprehensive that himself and these of his professione would be the gentleman's greatest enemies, as most concerned in the murder, being churchmen; but now finding the bishop a solicitor instead of ane accuser, he makes the busines of pardoneing and restoreing of Sir John to his inheretance somewhat strange at first, of purpose to engadge the chancellor to solicit more earnestly in his behalf, for the king had some kyndenes for the gen-

tleman himself upon his oune account, but mostly for his father's, John Herring, who had behaved himself soe worthily in the reigne of King David Bruce, being among the first of these barrones that declared for the interest of that king to the croune,[1] soe that his present majestie was but waitting for a fitt opportunitie to restore Sir John Herring both to life, honour, and estate, (for he was legally dead,) without offending the church. Therefore his majestie now embraces this occasione, and recommends to the chancellor that he should see to the satisfactione Sir John Herring was to make to the abbacie of Newbotle, and upon his reconciliation and absolutione, to draw his pardone; soe affrayed and scrupolous was kings then to give the least offence to the church and churchmen. Carnwath, haveing what he came for, kisses his majesties hands in all humilitie, and gives thankes in his freind's name, to whom, being

[1] This John Heryng appears, from Wintoun's Chronicle, to have been a constant adherent and companion of the gallant Sir Alexander Ramsay of Dalwolsey, at a time when, although driven to lurk in the caverns at Gorton and Hawthornden, he used to harass the English even as far as the borders of Northumberland, by unceasing inroads. In particular, Heryng was present and behaved manfully at a sharp battle near Norham, in which Ramsay defeated the English, A. D. 1355.—See Wintoun's Chronicle, book viii. chapters 29. 38.

returned from court, he gives ane account of all that passed, adviseing him speedily to returne to the country, and setle himself quyetlie at his house of Cowthally, some part of the ruines wherof he had lately repaired, untill both the penaltie and pennance the church will impose upon him wer knowne, and his pardone sealled by the king. This Sir John readily condescends to, passing to the country in disguise, untill he arryved at Cowthally house, where he was welcomed, but with much privacy, by his neighbour and freind, Sir Walter of Carnwath, who now more fully made him understand his own affaires and what farther was to be done in order to his freedome and inlargement. It was dureing Sir John Herring's being at Cowthally Castle, that Sir Walter Somervill, being a widow at the tyme, was much taken with the amiable countenance and courtly deportment of Geilles Herring, Sir John's only childe, with whom he falles in love, resolveing to seek her in marriage. He courts her with all submissione and respect due to her qualitie, that at lenth by his opportunitie, haveing ane opulent fortune, and not much above fourtieth and eight years of age, he gaines her affectione and consent to marrie him, provydeing her father wer willing. This was no difficult thing for him to procure, con-

sidering the obligationes Sir John Herring lay under to his friend and superior, and in regard of the use he yet had for his interest to the making up of his peace, which was but in agitatione both with the church and court. That consideratione and remembrance of former obligationes made Sir John give his consent, notwithstanding some inequalitie of years, Sir Walter being past fourtieth and eight, and his estate allready heired, and his oune daughter scarce eightienth,[1] of admirable beautie, that might have procured her a great match of equall quality and years to herself, notwithstanding of her father's conditione and her sister's miscarriage, which might be supposed to be the only hinderance and lett to her good fortune; but this was non to him that by some tymes converce knew her personall worth and the state of her father's affaires. Therefore this bargane was soon agreed betwext him and Sir John, wherby the half of the lands of Gillmertoune, in Mid Louthian, was given to him and the heirs of that marriage, or any other marriage past or to come, irredeemably for ever. This may be thought a very odd clause or conditione for Sir

[1] This mode of forming a numerical adjective is a peculiarity of our author's style.

John to consent to, and such as would be hissed at in this generatione; but who considers this equallie needs not think it soe strange, for in effect, it hes been a sort of venditione, as appears from the subsequent conditiones which wer obligatory upon Sir Walter's part, wherin he was obleiged, first to procure his majesties remissione to Sir John, and his restitutione to the rest of his estate, for the payment only of two hundreth markes Scots; and further, upon Sir John's disponeing the lands of Grange to the abbacie of Newbotle, and dreeing[1] such bodily pennance as the church should impose, he was to procure his absolutione and re-entry unto the church, communion, &c.

It would appear Sir Walter Somervill hes been very confident of the king's favour, and churches goodnes, that he tyed himself to these conditiones; but what he had understood from the king and chancellor, made him the more confident and assured in the performance, soe that eftir the date of his contract of marriage, which is subscryved with severall hands, but non legible, save the nottar's, the defect of the subscriptiones is supplied by ther sealles in red wax appended to the parchment, wherupon this contract and dispositione is

[1] To *dree* was to undergo.

written. It bears date at Cowthally, the tenth day of June, 1372.

Sir Walter Somervill haveing setled the termes of his marriage and consummated the same, goes to the court being then at Stirling, with his young lady, where, eftir he had advysed with the chancellor and some other of Sir John Herring's weill wishers, he makes his addresse to the king, who of himself was willing to remitt Sir John Herring's offences, and grant him present pardone; but the default lay in the church ther satisfactione, which by the chancellors interest in himself was at lenth agreed upon in ther termes: That Sir John Herring should make over for him and his the marke land of Grange, (where the murder was committed,) to and in favours of the abbacie of Newbotle, clameing noe right therin neither in propertie, superioritie, nor vassallage, in all tyme comeinge; and farther, that the said Sir John should, bare headed and bare legged, in a sackcloath, crave absolutione at the bishop and abbot's hands, and stand in the same maner at the principall door of Saint Katharins chappell every sabbath and holyday for ane year, and paying fourtie pennies at every tyme to the poor of the parish, and ane hundreth markes Scots to the munkes of Newbotle, to pray for the soules of

those that dyed through his transgressione. Ther conditiones wer accepted and performed by Sir John, wherupon he had his pardone from the king, was restored to his estate, and had absolutione from the church.

It was from this marriage, and the causes before rehearsed, that the house of Cowthally and Lintoune had ther first interest in Mid Louthian, by getting the half of Gillmertoune from Sir John Herring, the lands of Drum and Gutters, and the other litle villages about it, being but parts and pendicles therof. Sir John Herring lived not long eftir his daughters marriage and his oune restauratione. Before his death, he disponed his lands of Edmondstoune and those of Carsewall, that he held of the house of Cowthally, with the other half of his lands in Gillmertoune, to his nephew, Patrick Herring, whose great-grand childe, Sir Gilbert Herring, by frequenting the court, and being a great spendthrift, made ane end of all, by selling the lands of Gillmertoune to one William Ramsay, a brother of the house of Caullichope, and his lands of Carsewall to John Lord Somervill; for his lands of Edmondstoune, I find not to whom he disponed them.

In October the same year, 1372, John, eldest sone and appearing heir to Walter, barrone of

Carnwath, being at court with his father, ther was non more taken notice of then this young gentleman; being of a comely personage, affable and courteous, he gained the affectione of all he conversed with; but that which contributed most to the young gentleman's advantage, was his acquaintance with Sir John Edmondstoune, donator to the forfaulture of Sir Robert Baird, whose gift of forfaulture this gentleman, Sir John Edmondstoune, had obtained from King David Bruce, in *anno* 1345, and by vertue thereof possessed at this tyme the barronie of Cambusnethan. It was with this old gentleman, Sir John Edmondstoune, that young Lintoune bare company both at the court and in the country, because of the pleasantnes of his humour, and in regard he was in much favor with the king, as he had been with his predecessor King David. But that which engadged this young gentleman intirely, was the great affectione he bare to the beautifull daughter of Sir John Edmondstoune, who, being her father's only childe, was appearing heires of a faire estate, and that lying within the same shyre where the greatest part of his father's estate lay, which held all ward of the king, whereas the barronie of Cumbusnethan held blensche of the croune for a pair

of gilded spurres, which is the reddendo of the charter of that barronie.

This lady, what for her beauty and great estate, had many suitors of as good qualitie and fortune as this gentleman; but he played his game soe weill, by engadgeing the ladyes affectione (who was then in the twentieth and fourth year of her age, which was much about that of his oune) and being obsequious to old Sir John in all he was pleased to command him, that at lenth he obtained his consent to let him have his daughter, and with her the barronie of Cambusnethan. This bussines was brought to a tryst[1] at Lanerk the same moneth, and in November thereftir the marriage was solemnized, to the great satisfaction of the parties themselves and all ther honorable relationes.

1375. For Sir Walter de Somervill, eftir his oune marriage and that of his sones, (who remained at Cambusnethan with his father-in-law) for the most part lived at home with his young lady at Cowthally, which eftir this man became the sole residence of the Lord Somervill. He was the first of the barrones of Lintoune and Carnwath that

[1] A formal or appointed meeting.

repaired any part of the ruines therof, and enclosed the same within a barrakine wall[1] of stone some four yards high; at the east corner wherof, without the gate, he built a square tower three storie high, vaulted out at the top, with an aisler battlement about the same. The ruines of this tower is yet to be seen, two story wherof was standing within these few years. What children Sir Walter's young lady bare to him I know not, for I find them not distinguished from the rest; but it's probable, nay certaine, if ther had been any they would have succeeded at least to the lands of Gillmertoune that came by ther mother, but, on the contrary, I find Thomas Lord Somervill served heir to the deceast Thomas Somervill of Gillmertoune; and it's certane this Thomas was a sone of his first marriage, named eftir his grandfather, the young laird of Craigmiller, killed at the takeing of the toune of Berwick.

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[1] The barmkin, or barbican, was the outer inclosure or fortified court-yard of an ancient castle. By an act of the Scottish parliament, 12th June, 1536, "For bigging of Strengthis on the Borderis," every landed man possessed of a hundred pund land of new extent, is directed to build thereon a barmkin of lime and stone, threescore feet square, one ell thick, and six ells high, for defence of himself, his tenants and goods, in troublesome times, with a tower within the same for himself, if he thinks it expedient.

1378. The last evidence of any moment that I have relating to this gentleman, is a charter of confirmatione granted to Patrick Herring, nephew and heir to Sir John Herring, laird of Edmondstoune, which is dated at Carnwath, the first day of Apryle, 1380, in which year Sir Walter Somervill, barrone of Lintoune and Carnwath, dyed, haveing then alyve fyve children, two sones and three daughters. His eldest sone John succeeded to the barronies of Lintoune and Carnwath by his father, and to that of Cambusnethan by his father-in-law. To his second sone Thomas he leaves the lands of Gillmertoune, who haveing marryed Katharine Stratone, the laird of Stratone's (the predecessor of the now laird of Lowristoune in the north, of the same familie and sirname) second daughter, with her he had noe children, soe that the lands of Gillmertoune, eftir this gentleman's decease, fell in to his nephew Thomas Lord Somervill; for his eldest daughter Janet,[1] long before his death, was marryed upon Neill or either Duncan Campbell, the first Earle of Argyle, made by Robert the Second, the first

[1] Douglas and Crawford, I observe, name this lady Elizabeth, and wed her with Archibald, son and heir of Sir Duncan Campbell of Lochern. This Archibald, according to these genealogists, died before his father, leaving issue, Sir Colin Campbell, first Earl of Argyle, so created by James II. in 1457.

of the Stewarts; the second, named Elizabeth, in the year 1374 was marryed to Sir William Moubray of Barnebougill; the third to Sir Alexander Penniecook of that ilk. For this gentleman[1] I find he dyed at Kelso, in his way to Lintoune, in the house of William Somervill, a natural sone of his oune, for whom he had procured a feu from the abbots of that abbacie in favours of this young gentleman. He had lived from the year of his father's death, at which tyme he was in a marryed state, to that of his oune, threttieth and three years compleat. His corpes, by his two sones, John and Thomas, and his naturall sone William, with other relationes, was transported from Kelso to Lintoune, and buryed in the queir of that church. By discharges granted to Thomas Lord Somervill, I find his lady, Geilles Herring, marryed to Sir William Fairlie of Brade, whose sone of that marriage commenced a long plea against Thomas Lord Somervill and Patrick Herring, for the lands of Gillmertoune, which at length was taken away by marriages betwext these families.

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[1] *i. e.* Sir Walter Somerville.

Of Sir John, the Sexth Barrone of Lintoune, the Third of Carnwath, the First of Cambusnethan, the Eleventh from Sir Gualter de Somervill Lord of Whichenour, and the Fourth of that Name.

1380. Walter being dead in the year 1380, and Sir John Edmondstoune some years before, John, now barrone of Lintoune, is served heir to his father Walter in the barronie of Carnwath, at Lanerk, before Robert Stewart of Evandale, upon the 24th day of September, 1380; and upon the
1381. 10th day of Apryle, 1381, he is served heir to his father in the barronie of Lintoune, before Robert Kerr of Cessfoord,[1] in the town of Jedburgh. Upon these services, and the charter of resignatione made by his father-in-law to him to the barronie of Cambusnethan, ther passes a confirmatione granted by King Robert the Second, dated at Stirling the 14th day of July, 1381, wherin ther is insert as witnesses, John Lyon Lord Glames, Chancellor of Scotland, William Landels, Bishop of Saint Andrewes, Walter Wardlaw, Bi-

[1] The same, I presume, whom genealogists rank as the fourth of the Cessford family, ancestors of the Dukes of Roxburgh.

shop of Glasgow, and Cardinall Robert, Earle of Fyff, George and John, Earles of March, William, Earle of Douglas, Robert Fleyming of Cumbernald. This charter has a seall of white appended to it, with the ancient armes of the Kings of Scotland curiously engraven upon the one syde, bearing a horse with his ryder richly mantled, with a shield upon the man's arme, haveing the lyon rampand with the flower de luce; upon the other syde it beares the representatione of the king sitting upon his throne, holding out his two armes, from which descends a scheild from every hand, haveing the same armes as upon the other syde. Some of the letters are wanting and others not very legible, soe that I cannot be positive they are the same wee now have.

This gentleman haveing procured from his majestie this confirmatione, reteires from court, and takes up his dwelling at Cambusnethan with hes young lady, where he continues dureing the peace with England; but the truce expyreing which had been agreed upon betwext France and England, wherin Scotland was included for four years, the admirall of France, John De Vienne, Earle of Wallensheo, arryveing in Scotland, and bringing with him 2000 men, it was resolved at court to make a road into Eng-

land, which they did, spoyleing the country betwext Berwick and Newcastle, takeing in the castles of Warke and Cornewall. But these things I passe over with few words, being so copiouslie written allready by our historians, particularly by the author of the Douglasses history. That familie, from the reigne of King Robert the Bruce, and his coronatione in the year 1306, untill the restauratione of King James the First from his captivitie out of England, in *anno* 1424, had successefully been the leaders and principall actors in all the warres and bickerings betwext the two nationes, wherby they not only acquyred eminent titles, but also greater estates by farr then any other subjects in Scotland, and that not only to themselves, but likewayes to the cadits of ther families, and the followers of ther fortune, soe that at lenth they became jealous to soveraignetie itself, which in the next centurie ended in that fearfull catastrophe of the finall ruine of this flourishing familie in the year 1483, as you may read at lenth in the history of the Douglasses. But I returne from whence I have a litle digressed. James Earle of Douglas and the Admirall of France haveing entered England with a very great armie, were opposed by a farr greater of the English, which made the Scots returne with-

out doeing any thing save the wasteing of Northumberland and the adjacent counties neer 14 myles. In this expedition John barrone of Lintoune and Carnwath was one, who, in the reteireing with others, whose interest lay neer that place, advysed the Earles of Fyff and Douglas to beseidge the castle of Roxburgh, then in the English hands, whose garrisone, by ther perpetual excursiones, harassed the wholl country. This the Earle of Douglas perswaded them to doe, but to litle purpose, because of the disorders of the armie, particularly the unreasonable demands of the French for craveing the castle to be thers when it should be winn, thus verefieing the old proverbe, to contend for the beares skin when it was yet on his back. Within eight dayes the seidge is deserted with litle prejudice to the castle, but much to the country, by the plundering of the French, which soe insensed both the Scots armie and the wholl people, that the French was lyke to pay dear for it, if the Earle of Douglas and some other grandees had not interposed for ther safetie, by procureing ther speedie returne to ther oune kingdome. This being the first apprentisship of John barrone of Lintoune and Carnwath, wherein albeit ther was litle occasione given for actione, yet it testified his willingnes to serve his

prince and country. This invasione of England
1386. happened to be in the year 1386.[1]

1387. The year following, 1387, the king being now aged, and his eldest sone John, eftirward king by the name Robert the Third, unfitt for the warres, the nobilitie have ther recourse to the Earle of Fyff, the king's second sone, of whom, as was supposed, the lands of Gillmertoune in Mid Louthian held, as Earl of Monteith, which eftirward cost the successors of this gentleman very dear; these lands holding of the Earle of Strathearne, and not of Monteith, wherof, upward of 100 years thereftir, Sir John Somervill of Quathquan made good use to his oune behoove, in prejudice of his pupill, John Lord Somervill,

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[1] A very lively account of the dissentions between the Scots and their French auxiliaries is given by Froissart, who concludes with the evil report which these unpopular auxiliaries brought upon their allies. "Than dyvers knyghts and squyers had depassages, and so retourned, some into Flanders, and as wynde and weder wolde drive them, without horse and harnesse, right poore and feble, cursyng the day that ever they came in Scotlande, sayeng howe there were neuer men had soe harde a voyage; wyshing that the French kyng had peace with Englande one yere or two, and soe both kynges togider to goe into Scotlande, vtterly to destroy that realm for ever; for they said they never sawe so yvell people, nor so false traytours, nor more folysshe people in feates of warre."—Lord Berners' *Froissart, Lond.* 1812, 4to, vol. II. p. 32.

the fyfth from this worthie gentleman of whom wee now treat. The Earle of Fyff being prevailed upon with James Earle of Douglas, the earles uncle, they entered England with ane armie of 3000 men, soe suddenly, that the country haveing noe leasure, for want of intelligence, to convoy ther goods out of the way, the counties of Westmerland, Cumberland, and Northumberland, through which they passed, receaved great losse. This armie returning with their bootie to Scotland without any encounter, with severall other inroads of the lyke nature by the Earles of Fyff and Douglas, made the King of England send ane armie into Scotland, which allmost ruined the wholl Merse, and gave the first occasione to that notable battell of Otterburne, where James Earle of Douglas, being conqueror, was killed. The particulars of this fight ye have in the Douglasses historie. That author, in designeing some of the persones, precipitates their titles, as in that of the Constable Errolls, in nameing him Earle at that engadgement, whereas it's very weill knowne he was not nobilitat, at least not made earle, untill the reigne of King James the Second. But that author is lyable to grosser mistakes then this, as is alleadged, for which some blames him much; but for myself, I believe he hes written

the truth in most things, and noe more nor what the house and name of Douglas very weill deserves: but herein indeed he is to be blamed, that he often obscures, at the least minishes the reputatione of others that merited very weill at the hands of ther king and country in that age. Let others speak where they are concerned, I shall only instance in the behalf of the house of Cambusnethan, that deserved a fuller and more ample descriptione, with a better character in his history, then he hes been pleased to allow them, considering the neer interest, by allya, the house of Cambusnethan had to the house of Angus, and for the severall good offices that familie did unto the Earles of Angus and Douglas, by hazarding ther life and fortune in ther quarrelles, as shall be spoken to in its place. But to returne. This invasione, which we formerly mentioned, happened in Jully, in the year 1388, was not soe closely gone about as intended; but that the English had advertisement therof before hand, and accordingly provyded for ther defence, which made the Scottish commanders resolve upon the devydeing of ther armie in two parts, the more to amaze the enemie and make them uncertane where to place ther cheiff strenth, as not knowing where the armie of the enemie might march;

1388.

thairfore the English concluded it was best only by the nobilitie to give advertisement to the gentrie and commons to be ready upon call, without appoynting either day or place for their rendezvouz. England being in this readynes, the Scots armie devydes in two, the Earle of Douglas with the Earle of March, father and sone, with severall other noblemen, had the command of the one half. This part, commanded by Douglas and the Earle of March, was that which fought at Otterburne, allready mentioned; for the other part of the armie, led by Robert Earle of Fyff and Monteith, they marched Carlile road, and wee read of noe encounter nor engadgement they had with any enemie at this tyme, soe that it was the good or bad fortune, as yow please to esteem it, of the barrone of Lintoune and Carnwath, in two severall expeditions, to want opportunitie to give evidence of his valour and manhood, as all his predecessors had done in behalf of ther prince and country.

Robert the Second dying at his castle of Dundonald upon the nyneteinth day of Apryle, 1390, before his death ther was a peace made betwext England and France for the space of seven years, wherin Scotland was also comprehended. This peace gave opportunitie to the gentlemen that 1390.

had ther estates lying upon the border to seek eftir soe much of ther rent as could be recovered in these broken tymes, wherin for the most part the country thereabout was harassed by the English and Scots, it being the common road for both, when they intended any invasione upon the midle marches. John Barrone of Carnwath, being at this tyme ordering his affaires in the barronie of Lintoune, was invited over, by his cussing Sir Robert Kerr of Cessefoord, to the castle of Cessefoord,[1] then his residence, distant from the tower of Lintoune, upon the other syde of the watter of Kaill, some two myles or thereby. When at dinner, they had the first newes of King Robert the Second his death, by ane expresse that had come from Clidsdale to John Barrone of Carnwath, sent from his lady, to give him advertisement of her oune sickness, and how desyreous she was of his speedy returne. As for the king's death, being of a great age, and haveing some years before he dyed held a parliament at Perth, wherin he made his second sone, Robert Earle of Fyff, Governour of Scotland, because of the

[1] The ruins of this ancient baronial castle are still extant, and are considerable. It was long the chief seat of the Roxburgh family, and is situated in the parish of Eckford.

unfitnes of his eldest sone that was to succeed to the croune. Soe that the report of the king's death was not soe surprizeing to thir gentlemen as the fears and apprehensions for the state of the country in the future, because of the weaknes of the next successor.

The recept of this letter hastened the barrone of Carnwath's returne to Cambusnethen, where being come he found his lady in a very weak conditione, a violent feaver haveing seazed upon her, which brought her neer unto death; however, it pleased the Lord to recover her out of that sicknes, for the good and advantage of that family, whereof she was a great ornament, both by her pietie, vertue, and beautie. Soe soon as she was perfectly recovered of her health her husband resolved to attend the court, (it being now a tyme of peace, and he never as yet had seen the king since his coronatione;) and that in order to dignifie himself by some title of honor, wherof men about this tyme wer beginning to be ambitious, and he himself as much as any other, from the greatnes of his fortune, haveing then in his possessione three great barronies of land, besyde the prospect or expectatione he had of the lands of Gillmertoune to himself or his successors, eftir the death of his brother Thomas, who

had noe children by his lady, and was now past hope of ever haveing any. Robert Earle of Fyff and Monteith, the king's brother, with Gilbert Greenlaw, Bishop of Aberdeen, Chancellor of Scotland, governed all affaires of state. Upon them he resolves to depend, the first being his brother's supposed superior of the lands in Louthian; and the chancellor hes ladyes neer relatione, by the mother's syde. Dureing his sex years attendance upon the Earle of Fyff and the chancellor, and his frequenting the court, wee find noe additione he made to his estate, albeit he added somewhat to the honour of his familie. Upon this occasione, a parliament being called by Robert the Third, to sitt at Perth, in *anno* 1396. 1396, he attended the same, being summoned as one of the barrones of Scotland; and assisted at the ceremonie of David the Prince his being created Duke of Rossie, and Robert Earle of Fyff and Monteith, his great patrone, being made Duke of Albanie; who, in the year 1406, was Governour of Scotland. These being the first dukes that was in this kingdome, made the solemnitie the greater by the concurse of the greatest part of nobilitie and ancient barrones of Scotland, who were obleidged by ane old law to attend the king in parliament. It was dureing the

sitting of this parliament and the conferring of these great titles upon the prince and his uncle, that his majestie was pleased to dignifie John barrone of Carnwath, and Thomas, now his eldest sone, (John the eldest being dead some years preceeding,) with the honour of knighthood. I know it is alleadged from this gentleman's receaveing summonds to this parliament, that he was the first lord, being then nobilitat from his sitting in that parliament; but ther is no ground nor probabilitie for this assertione. Men then, as they are at this present, wer vaine enough of ther titles of honour; and certanely, if ther had been any truth in that, this gentleman would have designed himself by that title. But I find not that he did soe, noe nor yet his sone eftir his death, untill the beginning of the reigne of King James the First, in *anno* 1424.

The parliament, 1396, being broken, and the country remaining in peace for some years, Sir John reteires from court, and makes his residence mostly at Cowthally; all his children being at this tyme come to the state of men and women, he made it his busines to setle them according to ther qualities. His eldest daughter, named eftir her mother Margaret, in *anno* 1397, he marryes upon Robert Diell of that ilk. The year ensue- 1397.

1398. ing, 1398, he marryes his second daughter, named Janet eftir his oune mother, upon Sir Simon Glendinning. In the year 1400, on the sexth of Apryle, his youngest daughter was marryed upon Sir Lewis Stewart of Minto. In August the same year, his vertueous lady Margaret Edmondstoune dyes, haveing lived with her husband 28th years, dureing which tyme she had borne to her husband nyne children, fyve wherof survived herself, two sones and three daughters. She had the happynes to see her three daughters honourably marryed, and her two sones as gallant and hopeful youths as was within the natione. Before her death, she desyred her husband to bury her besyde her father in the quyer of Cambusnethen church; which accordingly was done by her husband and two sones, and three sones in law, with all the solemnitie then in use. She was a lady of many eminent vertues, and was the third of the females that made a great additione to the barrones of Lintoune, ther estate in Scotland.

1400. Eftir the year 1400, I find not any thing of Sir John Somervill, barrone of Carnwath, in the histories either of the church or state, notwithstanding these tymes gave occasione to some actione, in regaird of the difference betwext the Earles of March and Douglas, anent the marrying of David,

Duke of Rossey, the king's eldest sone, upon Marjorie Douglas, daughter to the earle, whereas he had been before contracted upon Elizabeth Dunbar, daughter to George Earle of March. These two great men, upon this occasione, falling out, became to quarrell and to bring the country into factiones, which was much troubled, especially by the Earle of March, who being worsted, engadged the English in his quarrell, who wer ready enough of themselves to lay hold upon any opportunitie to doe our natione a mischeiff. In all these occurrences and other publict transactiones of that tyme, either in peace or warre, dureing the remaineder of King Robert the Third's reigne, I find not that Sir John, barrone of Carnwath, did concerne himself, haveing, eftir his ladyes death, confyned himself, for the most part, to his dwelling att Cambusnethen; the pleasantnes of the place inviteing him therto allbeit at the tyme ther was noe other house upon it (except some laigh office houses) but the Baird tower, a building some 20 foot square and four storie high, which was still standing in the same forme and fashion, untill the year 1661, that it was demolished by Sir John Harper, when he rebuilt the house of Cambusnethen.

In the year 1405, ther had been some discourse 1405.

of marrying his eldest sone Sir Thomas upon Mary Sinclaire, sister to Sir William Sinclaire, Earle of Orknay and Laird of Roslayn; but it took noe effect untill eftir his death, which happened the same year, the ii. of October. Before his death, he setled upon his second sone Walter, the toune and lands of Overtoune, of Cambusnethen, Paider and Paiderhall, Gairin and Gairingill, with the coallheaugh, in the barronie of Cambusnethen, and the ten merk land of Litletoune, in the barronie of Lintoune. Undoubtedly, haveing soe opulent a fortune, he would have left his second sone a greater estate, but that he expected his sone Walter sould have succeeded to the land in Louthian eftir his brother Thomas his decease; but that gentleman, at his death, conferred his wholl estate upon his names-sone and nephew, Sir Thomas Somervill of Carnwath, eldest sone to this Sir John, who succeeded both to his father and to his uncle and ther wholl estates, except what was given to this Walter, which eftirward fell into Thomas Lord Somervill. Before his death, some few dayes before Sir John dyed, his sones and sones in law enquyred at him if they should bury him with his predecessors in Lintoune church; he answeared, "No, but in Cambusnethen quier besyde his wife,"

which accordingly was done. He was a gentleman of great vertue, and added both to the honour and greatnes of the house of Lintoune and Carnwath, by his marriage and frugalitie. He lived fyftieth and sex years;[1] wherof in a marryed state twentieth and eight, and a widow fyve; and was the first of his name and familie buryed in Cambusnethen church.

Of Sir Thomas, the seventh Barrone of Lintoune, the fourth of Carnwath, the second of Cambusnethen, the first Lord Somervill, and the twelth from Sir Gualter de Somervill, Lord of Whichenour in England.

To Sir John Somervill, Barrone of Lintoune and Carnwath, succeeded his eldest sone Sir Thomas,[2] who is served air to him the succeeding year, by a breiff out of the Chancellarie, the first

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[1] Douglas, in his Peerage, altogether omits this Sir John Somervillc. According to his geneaiogical deduction, the father of Sir Thomas Somerville was Sir William Somerville, who, according to him, represented the family from 1370 to 1403.

[2] This was one of the most distinguished persons of this ancient and honourable family. If the writer of the Memoirs had before him the retour of the inquest upon his service, it seems impossible he could mistake his father's name. Yet it would

of March, 1406, before Sir William Prestoune of
1406. Craigmiller. Ther is upon this service Sir Simon Glendinning, Sir William Sinclair of Hermistoune, Sir John Forrester of Corstorphin, Sir John Sandelands of Calder, Ralph Weir of Blaickwood, Sir Lewis Stewart of Minto, Robert Diell of that ilk, John Mowat of Stennis, John Carmichaell of that ilk, John Towers of Enderleith, William Lawsone of Humbie, William Bannatyne of Corhall, Thomas Somervill of Gillmertoune, William Otterburne, William Somervill in Kelso. All these barrones and gentlemen hes ther sealles at this service, the armes visible, and ther names legible to this day.

Whether this young gentleman, Sir Thomas Somervill, deryved his nobilitie from his father or acquyred it himself, is a thing very questionable, as I have allready hinted at; for undoubtedly his father Sir John, summoned to the parliament by King Robert the Third, in *anno* 1396, gave him the dignitie and title of a Lord of Parliament, which in effect is all that our ancient lords hes for ther being peers of this realme; patents from the king for being lords was given

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appear he certainly was so, since in several charters quoted by Douglas, Sir Thomas is described as the son not of a Sir John but of a Sir William Somerville.

but of late, as is nottour to all that knowes any thing of antiquitie; for this nobleman's father and himself being designed Sir John and Sir Thomas in severall writts that I have seen, it sayes nothing. Men then wer ambitious of that title of honour, being given mostly upon ane militarie account, which made them rather retaine it then any other title of honour conferred upon them by ther prince; for which see the historie of the Douglasses upon the subject, anent the dignitie of good Sir James, the first raiser of that noble familie to ther greatnes, who took no other designatione then that of Sir James, albeit he and his predecessors had been lords of parliament for some ages preceeding. However, in this I shall not be contentious, but follow the receaved opinione, that this nobleman, Sir Thomas Somervill of Lintoune and Carnwath, receaved that dignitie from King James the First, in his first parliament holden at Edinburgh in *anno*

King Robert the Third hearing that his eldest sone, Prince David, was dead in Falkland, by procurement of Robert Duke of Albanie (who aspyred to the croune) and James his second sone taken prisoner in his voyage to France by the Englishmen, the king dyed of displeasure within three dayes eftir he receaved these newes, when

he had reigned sexteinth years, being buryed in Paslay, where hes queen had formerly been interred. Eftir whose death, Robert Duke of Albanie, Earle of Fyff and Monteith, governed Scotland. This nobleman and hes successors pretended to be superiors unto all the lands of Gillmertoune, anciently belonging to the Herrings; but long eftir, in the reigne of King James the Fourth, these lands wer found to be holden of David Earle of Strathearne, King Robert the Second his eldest sone, borne to him of Euphan, daughter to Hugh Earle of Rosse. However, this gentleman knowing that Robert Duke of Albanie had been his father's great patrone, and had much kyndenes for himself, on him he constantly depends both in the court and country, and was with him in all the expeditiones he made in the tyme of warr, which was but upon grand occasiones. Much, if not all the militarie actiones in that age, was committed to one or other of the house or name of the Douglasses, ther followers and dependers, as may be knowne from the tract of our histories; for in the year 1402, upon the fyfth of May, (some three years before John barrone of Lintoune and Carnwath dyed, and this nobleman came to his estate,) was fought by Archibald, the fourth Earle of Douglas, that unfortunat

battell of Homildone, neer Millfeild in England, wherin several lords and many barrones wer killed, and others taken prisoners, with the earle himself; as, in the year preceeding the flour of the youth of Louthian had been lost, with ther captain, Patrick Hepburne of Heiles, at West Nisbett, in the Merse, by ane encounter with the Englishes, upon the twentieth and two day of June, 1401, wherin the Earle of March his sone did great disservice to his native country, by comeing in to the English assistance with ane hundereth fresh horse, which gave them the victorie, and the Scots that great losse. These two instances I have given, to evince that successe is not allwayes intailled to names and families, or the electione of leaders, let ther valor and conduct be never so much, but that some one man or other of mean extractione, whose name and familie hes never been heard of, may outvy them in all ther glorie in militarie actiones. I need not to be particular: both ancient and moderne histories gives ane thousand examples. Oliver Crumwell, in our oune tymes, a very remarkeable one to our sad regrate. But to returne to this gentleman, Sir Thomas. In the year 1407, he 1407.
renewes his sute to Marie Sinclair, second daughter to Henrie Sinclair, the third earle, and sister

to William, the fourth Earle of Orknay, who had marryed Elizabeth Douglas, daughter to Archibald, the fourth Earle of Douglas, and the first Duke of Turraine in France. See the titles belonging to this Earle of Orknay and his predecessors in the historie of the Douglasses, which, as that author observes, are enough to wearie a Spaniard. With this lady of eminent vertue and high qualitie (being second to noe subject in Scotland) did Sir Thomas Somervill of Carnwath match,[1] and thereby did greatly innoble his blood and increase the honors of his familie, with whom he lived very happilie, and in great honour, for the space of twentieth and seven years, notwithstand-

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[1] This, however roundly affirmed, is unquestionably a mistake. Or at least, if Sir Thomas did marry the lady mentioned in the text, she must have been his second wife: For during his father's life time, Robert II. grants a charter of the lands of Cambusnethan to Thomas Somerville, son and apparent heir of Sir William Somerville, and to Janet Stewart his spouse, and the longest liver of them, " which lands of Cambusnethan are stated to have belonged to Sir Alexander Stewart of Darnlie father of the said Janet Stewart, and must be considered as being her dowery." Thus the author has erred, both as to the time and manner in which his family acquired the estate of Cambusnethan. The charter is dated July, 1392.

On the other hand, Douglas himself, under the article of the Earls of Orkney, quotes a marriage between Mary, second daughter of Henry first Earl of Orkney, and this Sir Thomas Somerville. She must therefore have been his second wife.

ing of all the reellings and alterations that happened dureing the government of Robert Duke of Albanie, Fyff and Monteith, and the four years governement of his sone, Duke Murdoch, Earle of Fyff and Monteith, from whom it would appear this gentleman's confyneing himself wholly to the administratione of his domestick affaires, he hes withdrawen his attendance upon some dislyke against the governour, Robert Duke of Albanie, formerly his great protector and patrone; but now in all probabilitie estranged from him when he became convinced that the duke had accessione to that unnaturall murder of Prince David Duke of Rossay, sterved to death in Falkland, by the instigatione and practice of his cruell uncle the Duke of Albanie, who being hated of the nobilitie for this very occasione, made most of these that had formerly much favour for him, withdraw ther attendance, as did Sir Thomas Somervill eftir his marriage, and retire himself to his castle at Cowthally, being sufficiently secured from the envy of the court, by being now allyad with two of the most noble and powerfull families in Scotland, of his ladyes neer relatione and kindred by father and mother.

In *anno* 1412, Thomas Somervill of Gillmer- 1412.
toune dying, he leaves the lands of Gillmertoune,

Drum, and Gutters, to his nephew Sir Thomas of Carnwath, reserveing the life-rent of all these lands to his lady Katharine Straton, which I find she enjoyed not long; for Sir Thomas came to the possessione therof in the year 1415, which is evident from tacks sett by him that year and the year ensueing. In which year this gentleman both enlarged, by the additione of some new buildings, and strengthened the castle of Cowthally with a double ditch, broad and deep. The ground, because of the neer neighbourhood of a great mosse, affoorded much watter for the filling up of these ditches. But seing the greatest building of this house was by Hugh, the first Lord Somervill of that name, I shall wave the description therof untill wee come to wryte of him. As for this noble gentleman being more strongly allyed, and haveing a far more opulent fortune by far then any of his predecessors, he lived in peace at home, without concerneing himself with the publict transactions of that tyme, or sydeing with any of the grandies that mannadged the affaires of state, dureing King James the First his captivitie or restraint in England.

The kingdome of Scotland being for eighteinth
1424. years without a king, James the First being re-

turned from his captivitie,[1] made it his busines to set in order the disorders of a country wherin every great man had played the pettie tyrrant. The conditione of England, being then under a minor king, gave him opportunitie, with his oune allyance, to fear noe warr from thence. Therfore, being entered upon his government, he calles to accompt the former governours, father and sone, who being guilty of some misdemanours which is not very expresse in our histories, he strykes off ther heads, with Duncan Stewart Earle of Lennox.[2] The Earle of Douglas he imprisones with most of his freinds, followers, and dependers. From this beginning did first aryse the doune fall of that noble familie, whether by ther oune procurement or not, I leave it to others

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[1] In forwarding this desirable event our author's ancestor had a share, of which his descendant seems to have been ignorant; for it appears from Rymer's Fædera, vol. x. p. 301, that Thomas Somervyle, Lord of Carnwath, was one of the embassadors who, in 1423, were permitted to come to London to treat for the ransom and deliverance of their sovereign. Thomas Dominus de Somerville is also a warden of the Border in 1424.

[2] The author of the Memoirs appears to have been ignorant that his ancestor, Thomas Somervile of that ilk, sat as one of the assize by whom Murdoch Duke of Albany was attainted of high treason.

to judge that hes read the histories of these tymes. The best of subjects may some tymes fail in ther duty; and it is ordinarie for princes to have ther oune feares and jealousies, when one subject out topes the rest, both in fortune and followers, as this familie did by far all others in Scotland in that age. The Earles of March, more ancient in dignitie, being ther only competitors, found the same or worse measure; for, in the first parliament holden at Perth by this king, the Earle of March was disinherited, and his familie for ever put out of Scotland, notwithstanding of severall attempts made by them eftirward for ther restauratione. The other great branch of that name, being the Earle of Murray, became likewayes extinct, in a daughter, who marryed a brother of the house of Douglas, which made ane end of all the greatnes and honour of the sirname of Dunbar, which had continued from the reigne of Milcolumbus Canmuir, untill this very age whereof wee now treat. Neither did the weight of the king's displeasure fall upon these two families alone; but many of ther friends suffered upon ther account, as yow may read at lenth in the historie of the Douglasses. That which I shall take notice off and observe, as to my purpose, concerneing those tymes of ignorance, before the

reigne of Milcolumbus the Third, is the three grand revolutions in the kingdome of Scotland as to sirnames and families. The first, that which happened in the reigne of this king before mentioned, Milcolumbus Canmuir, wherin, for the most part, ther was not only a change of the ancient titles and designationes of the noblemen, but also a subversione or alteratione of the greatest part of the sirnames then in Scotland, besyde the additione of many new ones that came in and began at that same tyme. The sirname of Cumming, whether originallie of this natione, or from some other where, I will not take upon me to determine; but this is certane and knoune from our historians, that noe name in Scotland, from the year 1000 to the year 1306, which I make the second period of tyme, floorished soe much as did the name of Cumming; and that both in honour, riches and number; who, of themselves, being fyve earles and threttieth barrones or freeholders, wer able to raise ane armie to defeat Alexander the Third, took him prisoner, and keeped him in Stirling castle untill they made ther oune conditiones; and all this by their ouné strenth, and without the assistance of any other within or without the kingdome that wee hear off. I would fain know whether the lyke has been

practised in any natione, or what historie relates that a particular sirname prevailled soe much against ther prince and country, and made such mad worke therin, not only in King Alexander's reigne, but dureing the wholl interregnum, and untill the restauratione of King David Bruce from his captivitie, and his father King Robert the Bruce, as did this sirname of Cummings. However, at lenth, in this king's reigne (the second revolutione being in King Robert the Bruce's and his sone's reigne,) they are brought under ane perpetuall eclipse; upon whose ruine the Dunbars, (albeit nobilitat before) the Douglasses and Fleymings, with severall other families, raised ther fortunes, by King David's gifts; greatnes and honours being conferred upon them, much about the same tyme, by the doune-fall of the Cummings. The third grand revolutione and change of fortunes and sirnames in Scotland, though not soe universall as in the two former, happened in this king's reigne. King James the First, by blackeneing the credite and reputatione of the Douglasses, which they in a manner had intailed to ther oune familie, for ane hundereth years and upward, and by the ruineing the Earles of March, the Humes aryses out of ther ashes, as did the great estate and honour

of the Hepburnes, the court favour of the Crechtounes and Livingstounes with the king, all of whom, by his majesties discountenanceing the Douglasses and banishing the Dunbars, raised ther oune fortunes and credit within the kingdome; which, notwithstanding, continued but a few generations, as is evident from the histories of that tyme; thereby teaching great men that it is beyond ther foresight and industrie soe to setle ther greatnes and honours as to intaille them for ever to ther posteritie; but that a word mistaken or look unbeseeming may destroy in a moment what many ages hes been rearing up, yea, albeit ther be noe default or misgovernement in the partie to whom that misfortune may happen, as is evident from many instances that may be given, besyde those which I have mentioned.

Soe soon as his majestie aryved in Scotland, Sir Thomas failled not to give his attendance, with others of the barrones of Scotland, to congratulate his majesties happie aryveal, where his acceptance was answearable to his expectatione; for a parliament being called to sitt at Edinburgh, the Sir Thomas Somervill of Carnwath is summoned as one of the ancient barrones of Scotland, to give his attendance,

wherby it is evident that from the sitting of that parliament, and eftir the dissolveing therof, that Sir Thomas of Carnwath is designed Lord Somervill;[1] and albeit he was weill enough stailed in his majesties favour, and secure enough by his allya, yet he understood weill enough in what favour and esteem himself and his father Sir John

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[1] There is something remarkable in the manner in which he is designed in the nomination of Wardens of the Border in 1424. The names are first given, and then are classified according to the rank of those who bore them. But Thomas, though designed Dominus de Somerville, is neither enumerated among the lords or the knights. The classification follows:

"Pro Parte dicti *Henrici Regis, Humfridus Dux Glouces-triæ, &c. Thomas Dux Exoniæ, Edmundus Comes Marchiæ, Riccardus Comes Warrewici, Henricus Comes Northumbriæ, Radulphus Comes Westmerlandiæ, Robertus Dominus de Wylughby, Omnes Admiralli Maris prædicti Regis Henrici, Custodes Marchiarum Angliæ versus Scotiam, Robertus Umfraville, et Walterus Hungerford, Milites.*

"Pro Parte vero præfati *Regis Jacobi, Murdacus Dux Albaniæ, Walterus Comes Atholiæ, Alexander Comes de Mar, Archibaldus Comes de Wygeton, Georgius Comes Marchiæ, Dominus Willielmus Constabularius Scotiæ, Johannes Dominus de Seton, Thomas Dominus de Somervile, Jacobus Dominus de Dalketh, Johannes Forster, Custodes Marchiarum Scotiæ versus Angliam,*

"Qui quidem, *Humfridus, Thomas,* Duces; *Edmundus, Riccardus, Henricus, Radulphus,* Comites; *Robertus,* Dominus; *Robertus,* et *Walterus,* Milites.

"*Murdacus,* Dux; *Walterus, Alexander, Archibaldus, Georgius,* Comites; *Johannes,* Dominus; *Jacobus, et Johannes.*"

had been in with the two former governors, father and sone, which now fell under the king's displeasure, and brought to the ground with them most of ther followers and dependers. He therefore reteires from court, whill these stroakes were a giveing,[1] haveing as much honour as he desyred, and ane estate much beyond many of the same qualitie and degree: and as he was the first by my calculatione that nobilitat the familie and name of Somervill, in the house of Cowthally, soe did he far exceed in greatnes of fortune all the preceeding barrones of Lintoune and Carnwath, by acquyreing the barronie of Plain in the shirreffdome of Stirling, either by conqueist or excambione; for it is certaine he made over the right of a barronie of land which lay in the north to the Lord Gordon, which at this present belonges to the Marques of Huntlie; but where that barronie lay, or the designatione of it, I can give noe account. The young gentleman, from whom I should have had my informatione, John Leslie by name, that was master of the ancient writtes and charters of this land, being unfortunatlie killed before I had opportunitie to see

[1] A singular mistake, since he was actually one of the jurors on the trial of Murdoch Duke of Albany, as already noticed.

these papers; whereby it comes that I can give noe better account of this affair.

It was dureing his reteirement from the court that the pietie of his lady perswaded him, in imitatione of others (who wer very bussie about this tyme, in ther blind zeall, to gratifie and enrich the church) to rebuild (which was then much ruinous) the collegiat church of Carnwath, with the yle therof, the which they dedicate to Saint Marie, and endued the same with the soume of ten merks yearly, to be payed out of the barronie of Carnwath, which, as a mortificatione, is continued untill this day. For the particular year of its foundatione I cannot be positive, seing the year of God hes been omitted. However, by other circumstances agreeing with that very tyme, wee may conclude it hes been built betwext the year 1425 and the year 1430; for in this year ther is mention made of the collegiat church of Carnwath in severall writtes and evidences that I have seen. For the founder, the author of the additione to Spotswood's Historie, is positive that the collegiat church of Carnwath was built by Thomas Lord Somervill; for which see his book, page twentieth and seventh. The yle itself is but litle, however neatly and conveniently built, opposite to the midle of the church: all aisler,

both within and without, haveing pinickles upon all the corners, wherin are engraven, besydes other imagerie, the armes of the Somervills and the Sinclaires, very discerneable to the occular aspectione, albeit it be two hundereth and fyftie-eight years since they wer placed there.[1]

In *anno* 1426, Thomas Lord Somervill goes to the south to setle his affaires at Lintoune, the borders being now in some quyetnes because of the peace betwext the two kingdoms. His father Sir John had but seldome visited that place, and himself but at starts, before King James his returne to Scotland; but now, haveing continued there some space, he caused repaire the church and queir of Lintoune, with the ancient monument of his first predecessor in Scotland, and the tower of Lintoune; all which, by lenth of tyme, and the perpetuall excursiones and burnings of the English, in former ages, wer much decayed. His predecessores, that reaped but small benefite from that barronie of Lintoune, in tyme of warr betwext the two kingdomes, became carelesse of ther concernes in that part of the country, which 1426.

[1] The church of Carnwath is in a handsome style of Gothic architecture, and is one of the few churches of country parishes in Scotland which are so.

may be the reasone that John Lord Somervill, this lord's great grand childe, with the consent of his tutors, Sir John of Quathquan, three score years eftir, they sold it to the Kerrs now of Lintoune.[1]

1427. Being returned from the south, he came to Mid Louthian, and orders his affaires in Gillmertoune, from which lands he reaped as much benefite, both in reall and casuall rent, as he did from any other of his barronies within the natione, haveing both coalles and lyme-stone in abundance, with a constant and setled rent, being all of it in Acker-dale land (except the Drum and Gutters,[2]) duely payed, because of the neer neighbourhead of the toune of Edinburgh. Being now come to the west, he sets himself wholly to the mannadgement and improveing of his great estate, the country being then in peace as to any warr with England.

This noble man being blessed with severall children, wherof fyve being alyve, wer now come to the state of men and women; his eldest daughter, named Marie eftir her mother, this year 1427, he marryes upon Sir William Hay of Yester;

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[1] The property has since passed to the Pringles of Clifton.

[2] Or Goodtrees, now called Moredun.

and with her gave in portione the lands of Auchtermyre, called the out barronie of Cambusnethen, being within the parish therof. Thir lands belonging to the church the Lord Somervill held them of the abbacie of Kelso or Melrose; for I am not certain to which of them they doe belong, but that the house of Yester retaines them untill this day, the same, of late, by this lord or the late Earle of Yester, being fewed out to severall heretours, wherof the laird of Allitoune,[1] of the sirname of Stewart, is the most considerable. His second daughter, named Geilles eftir his ladyes mother, he marryes upon Sir Robert Logan, laird of Restallrig, who had in portione with her the lands of Finningtoune, Becry-hill and Heathryhill, all lying within the barronie of Cambusnethen, and parishen therof. Many years thereftir I find thir lands resigned by the successor of the laird of Restallrig in favours of Sir John of Quathquan, the first laird of Cambusnethen, from the tyme that it became in a distinct familie from the house of Cowthally, of whom he held them. His

[1] Allantoun. Some remarks afterwards escape from the author's pen unjustly derogatory to this ancient branch of the house of Stewart, to which he was himself allied by the marriage of Janet Stewart of Darnlé with his ancestor Sir Thomas.

youngest daughter, named Margaret eftir his oune mother, he marryes upon the lard of Closseburne in Niddisdale, of the sirname of Killpatrick, whose sone Thomas, named eftir his grand-father the Lord Somervill, wee will have occasione to speak of in the memorie of his cussing the first lord John. What portione in land or money this lady had from her father I find not; but it appears the house of Closseburne hes been very weill satisfied with this match, by their gratitude and thankfullnes to the house of Cowthally for severall generationes thereftir.[1] Thus wee see this noble man happy and fortunate in his oune match, and in the matching of his daughters, being all in his oune lifetyme marryed to gentlemen of eminent qualitie, two of them cheif of ther names and families. His sones, being two, William and Thomas, wer hopefull young gentlemen as any within the kingdome. Upon them he bestowed such breeding (the best being rude enough) as

[1] Roger Kirkpatrick of Closeburne, who married Margaret, daughter of Thomas first Lord Somerville, had by her two sons, Sir Thomas Kirkpatrick of Closeburne, knight, (who was made keeper of Lochmaben castle in the year 1481,) and Alexander Kirkpatrick of Kirkmichael, who received the barony of Kirkmichael from the king, as a reward for having taken prisoner James, the 9th and last Earl of Douglas, at the battle of Burnswark, A.D. 1484.

that age was capable to give. As for his eldest sone, he was knighted by King James the First upon this occasione.[1]

King James the First's hard dealling, as was supposed (the first sex years of his reigne,) with the principall of his nobilitie, by executing some, banishing and imprisoning others; this terrified many, and startled all men of any account or eminencie from attending the court; wherby others of minor ranke and qualitie had opportunitie first 1430.

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[1] "He also sat as a peer in the parliament held at Edinburgh, *anno* 1429, and was by his majesty appointed justice-general of Scotland besouth the river of Forth, which appears by an authentic decreet pronounced by him, wherein he is designed *justiciarius domini nostri Regis, ex parte australi aquæ de Forth.* He passed sentence against the delinquents at Stirling, the 4th day of November, in the year of God 1430. The decreet concludes thus: *In cujus rei testimonium, sigillum officii nostri judiciarii est appensum, anno die mensis, et loco superscript.*

"Immediately thereafter, Thomas *Dominus* Somerville was appointed one of the wardens of the marches towards England in December 1430.

"He married Janet, daughter of Alexander Stewart Lord Darnly, ancestor of King James VI. with whom he got the lands and barony of Cambusnethan, which is confirmed by a charter from King Robert III. *Thomæ de Somerville, filio et hæredi apparenti Willielmi de Somerville, militis, et Janetæ Senescal sponsæ suæ, et eorum viventi, omnes terras baroniæ de Cambusnethan, &c. jacen. in Vicecom. de Lanark, quæ fuerunt dilecti consanguinei nostri Alexandri Senescalli de Darnly, militis, &c.* dated in July 1392."—DOUGLAS'S *Peerage*, p. 626.

to be knoune, and then to insinuat themselves in the king's favour. Amongst which number, William Crichtoune and Alexander Livingstoune gained soe much of the king's affectione that they became his only minions; all court favours passing by them or ther creatures; untill at lenth, in the year 1430, the king's displeasure and indignatione against these noblemen, whom he had incarcerat, being now appeased, he releaved them from prisone, and commands ther attendance at court, where shortly thereftir they appear in greater splendor then usually was seen in the Scottish court; and that because of the extraordinary occasione that then offered itself, the baptisme of two young princes the king's sones, being twinnes, at which solemnitie great part of the nobilitie was present, and, amongst others, Thomas Lord Somervill, who, being a nobleman of a peaceable dispositione and noe wayes factious, had never fallen under the king's displeasure. To grace this solemnitie the more, the king was pleased to make fyftieth knights. Of this number was William, eldest sone and appearing heir to Thomas Lord Somervill; William, eldest sone to Archibald Earl of Douglas, being the first that was honoured with that dignitie of knichthood from the king.

The Lord Somervill haveing remained some tyme at court, and haveing kissed his majestie's hands, returnes to Cambusnethen, where, for the tyme, his familie resided, with a resolutione for the future to be seen as seldome at court as possible, finding, by the litle stay he made there, that the ancient nobilitie and barrones was rather suspected of factione then favoured of the king and court. Alexander Livingstoune and William Crichtoune, both small barrones, and not of the ancient nobilitie, as the author of the historie of the Douglasses assertes (how truely I shall not say nor enquyre eftir, being non of my concernes) had now the guiding of the king. All matters of any moment passed by ther hands, to the great indignatione of such of the nobilitie as thought it ther place, both in respect of ther qualitie and birth, to have a greater share in the mannadgement of state affaires then was allowed to them; being never or seldome called to counsell dureing this king's reign. However, I find in the year 1434. 1434, his majestie was pleased to ratifie and confirme Sir Thomas, now Lord Somervill, in all his barronies of Lintoune, Carnwath, and Cambusnethen, with the superioritie of the toune and territorie of Gillmertoune; all which barronies held immediatly of the croune, except the lands of

Auchtermuir in the barronie of Cambusnethen, and the lands of Inglisberry-grange in the barronie of Carnwath, which held of the kirk, and these of Gillmertoune, which held formerly of the Earle of Strathearne, now likewayes fallen in the king's hands, by that earle's forfaulture. This confirmatione is dated at
the tenth day of November, 1434. Eftir this I find not the Lord Somervill present at court dureing this king's reigne, which was three years eftir this nobleman's death, who now lived at home and looked eftir his private affaires. For his eldest sone Sir William, he abode for the most part with his uncle the Earle of Orkney, when he remained either at Roslain or in Edinburgh, in company of Sir William Sinclair his cussing, eftirward great chancellor of Scotland. Some years before his death he had setled his eldest sone in the barronie of Plain; for, by severall writts that I have seen, and others that are in my custodie, I find him designed Sir William Somervill of Plain, appearing heir to Thomas Lord Somervill. It appears this setlement hes been made to Sir William when his marriage was first divulged, upon the bearing of his eldest sone John, eftirward Lord Somervill; for this gentleman had marryed secretly in the year 1428 or 1429, the

daughter of Sir John Mowat of Stennis, because he could not procure the consent of hes father nor mother to that match, albeit the young lady was to be one of the co-heirs of her father's estate, and of herself deserved very weill; but the Lord Somervill and his lady designed a farr greater match for ther sone, especially his lady mother, who, being a lady of great birth, had a spirit answearable thereto.

To Thomas his youngest sone he gives the lands of Racklay, within the barronie of Carnwath. Of this gentleman, Thomas, sone to Thomas Lord Somervill, to the best of my inquirie, are descended the Somervills now of Gladstones. But more of this in the life of the first Lord Hugh, where occasione will be given to treat more amplie of that familie. The last evidence that I find of this nobleman is a charter granted be him to and in favours of William, chancellor of Scheill-hill, wherin he confirmes to him the lands of Scheill-hill and Quathquan. This charter is dated at the month of 1432, and is the eldest evidence that that gentleman hes of his lands. As for this nobleman, Thomas Lord Somervill, he was most fortunat and successefull in all his affaires both publict and privat, haveing disposed of his children, and set-

led his busines before his death, in the order allready rehearsed. He sickned in August, and dyed of a flux in December thereftir, 1434, being then in the fyftieth and nynth year of his age. Ther was not any of the name of Somervill, either in England or Scotland, had more honour or a greater estate then this nobleman, nor was ther any that marryed ther daughters better and more honourably then he did. Haveing left a hopefull successione of two sones and three daughters, he rested from his laboures and was buryed within the yle of Carnwath, built by himself, wherin eftirward his lady, dame Marie Sinclaer, was interred:[1]

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[1] This aisle is still standing, and after Cuthally passed from the family of Somerville, was used as a burial place for the Dalzells, Earls of Carnwarth, and since for the Lockharts of Lee. It is a Gothic building of some architectural merit. The church itself, as appears from the following record, was founded in 1386, and endowed by this Lord Somerville in 1424, with some lands which the relict of one of his successors in vain endeavoured to resume.

A. D. 1495, xix *Octobris*.—"In presens of ye lordis of consale, Marioun Laidy Someruale protestit that sen Sir Johne Inglis chapellane, wes requirit be our souerane lordis letrez, to bring with him ye letrez of mortification and gift yat he haid of ye kingis hienes of a part of ye landis of Cambusnethane, assignit to Sanct Michaelis chapell at Cambusnethain, and yat he beand personally present and producit na charter nor mortificatioun of ye kingis hienes of ye saidis landis, yat yarfore scho might broik ye saidis landis as hir coniunct feftment but vexatioun of ye said chapellain, as efferis of justice."

CARNWATH CHAPEL,

County of Lanark.

London Published by Longman Hurst &c Rees 1 May 1815.

a lady of high qualitie and eminent vertue, as was also her mother-in-law, Margaret Edmondstoune, both of them contributeing much for the honour and greatnes of the house of Cowthally.

Of William, the Second of that Name, the Eight Barrone of Lintoune, the Fyfth of Carnwath, the Third of Cambusnethen, the Second Lord Somervill, and the Therteinth from Sir Gualter de Somervill, Lord of Whichenour.

Thomas Lord Somervill dying in December, in the year 1434, Sir William, Barrone of Plain, was served heir to him in the barronies of Carnwath, Lintoune and Cambusnethen, and the lands of Gillmertoune, by a breiff out of the chancellarie

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" In presens of ye lordis Sir Johne Inglis chapellain producit certane instrumentis transumptis and charteris anent ye foundatioun of a chapellanry of Sanct Michalis chapell of Cambuskinnethane, ane of ye ferd day of Julii, in ye yere of God i^{m}iii^{c}lxxxvi yeris. *Item* a charter maid be William Someruale Lord of Carnewath, of ye dait of ye xx. day of Aprile, in ye zere of God, i^{m}iiii^{c}xxiiii. yeris, and alss producit a sentence diffinitue gevin be ye officiale of Glasgw, aganis Marioun Laidy Someruale in ye said matter."—*Records*, p. 461.

the tenth day of June, 1435,[1] before Sir Hendrie Prestoune of Craigmiller, sherrif principall and provest of the toune of Edinburgh. Upon this inqueist, ther was these gentle men whose names follow: William Baillzie of Lamingtoune, John Gerdoune of Aplegirth, Henrie Weir elder of Blaickwood, John Lauder of Hatton, Robert Logane of Restallrig, Sir John Edmondstoune of Edmondstoune, Sir William Borthuick of Borthuick, William Fairlie of Braid, James Fallsyde of that ilk, Sir William Moubray of Barnebougill, Sir Alexander Damahoy of that ilk, William Lindsay of Cavingtoune, and Roger Killpatrick of Closseburne. Thir gentlemen being barrones, hes ther sealles appended to this retour, upon red wax, enclosed in white, as the custome then was. This service being over, William Lord Somervill bringes his young lady from her fathers house of the Stannas, where she had still remained with her father, untill the death of Thomas Lord Somervill, her father-in-law; but now came to live at Cambusnethen, her mother-in-law keeping her constant residence in the castle of Cowthally,

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[1] The death of the first Lord, and the succession of the second, are placed by Douglas ten years later. But the writer of the Memoirs quotes from the service lying before him.

with whom she was not yet reconcealled, nor yet with her sone for ther disorderly marriage. However, the year eftir her husband's death, by the mediatione of freinds, particularlie by her three sones-in-law and her youngest sone, she was brought to hearken to the proposalls made by Sir John Mowat of Stannas, in order to a settlement of the fourth part of his estate in portione with his daughter Janet Mowat, which accordingly was now done, neer ten years eftir her marriage with William, now Lord Somervill. In this contract Dam Marie Sinclair Lady Somervill, is a partie consenter. By this marriage, and the contract so long eftir did the Lord Somervills get right to the fourth part of the barronie of Stannas, wherinto I find this Lord William's sone, Lord John, served heir to his father, eftir his death.

William Lord Somervill, being now agreed with his mother and secured in the fourth part 1436.
of his father-in-law his estate, by right of his lady, in imitatione of his father was not very curious in makeing any interest at court, his father haveing left him ane opulent fortune without any burding or trouble; but the liferent of his mother, who liferented the wholl barronie of Carnwath, except soe much therof as her youngest

sone Thomas had in proppertie for his patrimonie. It was in this year, upon the twentieth and one or twentieth and two dayes of February, 1436, sayes Drummond; but others in the year 1437, that King James the First was killed in the Blackfriers, in the toune of Saint Johnstoune, by Patrick Grahame and Robert Stewart, at the instigatione of Walter Stewart Earl of Atholl, this king's father's brother by the Earle of Rosses daughter, who pretended to be rightfull heir to the croune, and alleadged he was wronged and defrauded by the sone of Elizabeth Muir, who was only a concubine as he alleadged.

This fatall stroak being given, when all or most of the nobilitie was absent from court, and some of the most eminent out of the country, such as Archibald, fyfth Earl of Douglas, and severall others with him, so that the Earle of Atholl had opportunitie, first to contryve and then to execute his divellish treasone, against the persone of his soveraigne, who was murdered in his oune bedchamber, by the bloodie hands of these miscreants before named, all of whom thereftir suffered condigne punishment suiteable to the heinousnes of ther execrable cryme, as is at lenth related by our historians. Ane moneth or therby eftir the king's death, his sone James the Second was

crouned at Edinburgh, the tenth of March, 1437, at whose coronatione, with others of the nobilitie, William Lord Somervill appeares, and was the more gracious to the court, who now intended the calling of a parliament for secureing ther oune interest, and setleing the government upon themselves dureing the king's minoritie, which made them carasse such of the nobilitie as had either favoured them in the late king's reigne, or stooden neutrall and indifferent who governed, they or that factione of the nobilitie that at this tyme soared high in ther pretentiones, more (as was supposed) then was fitting for subjects;[1] the Lord Somervill being one of those that adhered to noe syde, had the more favour, and stood in good tearmes both with Livingstoune and Crichtoune, who, by this parliament and the court factione, wer made the one governour and the other chancellor of Scotland, which highted exceedinglie the envy of such of the nobilitie that had still

[1] In 1449, he is appointed one of the Scottish conservators of the truce between England and Scotland then concluded. RYMER, xi. p. 254. In 1451, he is one of the ambassadors of Scotland, nominated in a royal safe-conduct, and in the same year we find him once more a conservator of the peace, which he had probably a share in the establishing.—*Ibid.* p. 286. 300.

opposed them, especially the Earle of Douglas, who, by reteiring from the court, and confyneing all actiones civill and criminall to his oune regalitie courts, which wer endued with large priviledges, granted to the house of Douglas of old by former kings to the diminishing much of ther oune authoritie, and such as governed under them, as in the present caice of Livingstoune and Chrichtoune, whose authoritie was contemned notwithstanding of ther high places, the executive part of the law being frustrat as haveing noe force to compell obedience to justice, when requyred by them; and that allmost in noe part of the kingdome, but more particularly Annandale men, accustomed to thift and robberie, begane to vex the neighbouring shyres with dryveing away ther goods by open force and violence as from enemies. This the governours could not redresse nor punish. The evill still increassed to the ruine of the country, the blame wherof the governour and chancellor shifted from themselves, and laid the fault upon the discontented nobilitie, and especially upon the Earle of Douglas, who, to speak the truth, was only able to restraine these villanies, in that part of the country, as being of greatest authoritie and command there.

But, as if the natione had not suffered enough by these robberies, the governour and chancellor at lenth falles at variance, sending out contrary edicts and proclamationes, each contradicting what the other commanded, and both pretending the king's authoritie. Soe that considering the minoritie of the king, the discontent of the nobilitie and difference betwext the governours, with the nakednes and brocken conditione of the country, the wholl kingdome might easilie have been preyed on by the English. A fitter opportunitie never offered itself since the reigne of John Balioll, then at this tyme; but it was the good fortune of our natione to have noe warr with them dureing the king's minoritie. All these occurrences are soe fully spocken to and soe largely represented upon the governour and chancellor's part, by the author of the historie of the Douglasses, that I passe them in a word; for if all be true that he wrytes concerning Livingstoune and Crichtoune, they have been divelles rather then men, and that not only in the death of the Earle of Douglas and his brother unjustly executed in the castle of Edinburgh, when it might rationally be supposed he could not be guiltie of any great cryme (if being a great subject was not one) seing he had scarcelie attained

to the sexteinth year of his age,[1] a tragedie foolie acted, and never enough to be lamented: for which these gentlemen eftirward suffered both in ther persones and in ther estates. And, as if this had not been enough and too much, the author makes the wholl surcease of ther governements a mountebankes play, which they acted with the greatest fraudes imaginable, towards all men and to one another, when open force could not doe ther turne. And, indeed, laying asyde the prejudice that that author might justly have against them, upon the account of the Douglasses, ther actiones are not justifieable even in the judgement of these that lived in that age, as any may observe by peruseing our histories, where they shall find much of the disorders of the tymes imputed to ther pride.[2] But this being noe part of my bussi-

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[1] The curious and ancient Chronicle of the reign of James II. states him to be eighteen years old. Ambition has rarely had a more short career.

[2] "There was a confederation made betwixt thir earls and their friends, [viz. the Earl of Douglas, and the Earls of Crawford, Ross and Murray,] with a solemn oath, that the injuries done to any of them, or the soberest of them, or their adherents, should be equal quarrel to them all, contrary whatsomeever men in or forth of this realm; and to spend their lives, lands and gear, to the revenge of the same.

"Through this covenant the Earl of Douglas grew so proud

nes to examine, that which I take notice of is, that the Lord Lorne and his brother Sir James Stewart, who had marryed the queen mother, being imprisoned, and the queen herself confyned

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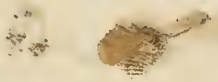
and insolent, that they boasted in all parts wherever they came, to have the rule and guiding of the realm against all men's will, and to have their enemies utterly exterminate. But this ambitious and vain vaunting was not pleasant in the sight of God: For vain pride and ambitiousness cometh never of God, but allenarly of the devil, who is the master of pride.

"In the meantime the king began of new to hate the house of Douglas because of their ambitiousness. Another cause there was; because some thieves of Douglasdale had herried all the lands pertaining to John Heres, a nobleman and faithful subject to the king's majesty at all times; whereof, when this Heres had oft and diverse times complained and sought redress thereof from the Earl of Douglas, and could never get remeid, he took purpose to recompence the same wrong because he got no justice. But this attempt succeeded very unhappily; for in the herying of Anandale, he was taken with his complices and brought to the Earl of Douglas, where he was casten in irons, and thereafter hanged shamefully, as if he had been a thief, notwithstanding the king's commandment in the contrary and other messages sent to that effect.

"The king took very heavy with this high contempt, but suppressed it for the time. Attour the poor people were so overcome and burdened with importable charges, that there was no life for them; and yet notwithstanding they durst not plainzie nor lament ther own misery in thir troubleous times, and therefore day by day, mischief began more to encrease. Other noblemen that were full of substance had no will of discord, but abhorred all utterly thir civil wars rising among themselves, and lamented quietly thir dangers and calamities which lay not within their power to quench. This mischief daily in-



to her chamber in Stirling castle, under a pretext forsooth that they keeped intelligence with the enemies of the state; and these wer the Douglasses as they would have perswaded the natione.

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creased so much that all men took suspicion, that thir Earls of Douglas, Crawford, Murray and Ross, with their assisters, which was the greatest part of the realm, should hastily depose the king out of his authority. Which suspicion being shewn to the king, he took great fear thereof; for he knew well that their faction was as potent (if they were not more potent) than himself.

"At this time the Earl of Douglas cast himself to be stark against the king; and therefore sought and perswaded all men under his opinion and servitude, and in special the gentlemen of Galloway, with Coile, Carrick, and Cuningham, and all other parts that were near adjacent unto him, desiring them daily to rise and go with him as his own house-hold men and servants, and to assist him in all things whatsoever he had ado, whether it was right or wrong, with the king or against him. But some other wise men seeing the danger appearing of the Earl of Douglas's proceedings contrary to the king and his authority, therefore would not assist him, nor take part with him, nor ride nor gang with him, nor be his man. Among the rest of thir there was one Maclellan, who was tutor of Bomby for the time, and sister's son to Sir Patrick Gray, who was master of Gray and principal servitor to the king and captain of his guard. This Maclellan, for love he bore to the king's grace and to the ministration of justice, would on no ways serve and ride with the Earl of Douglas, contrary the king or his authority, nor yet to oppress the commonwealth of the country, but kept him quietly within his bounds, doing no man wrong. The Earl of Douglas seeing this, that this man would not serve him, came quietly unto his house with a great number of men, and sieged it, and wan it, and took him out of

To setle this affair, and set the queen at libertie, ther is a conventione of the lords called the third of August, 1439. To this conventione comes 1439. William Lord Somervill of purpose to doe the

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the same, and had him to the castle of Douglas, and cast him there in strait prison. His friends seeing this, passed to the court to Sir Patrick Gray, to show him the manner thereof how it stood with his sister's son. The which when Sir Patrick Gray heard the novels, he was heavily displeased at the matter, and passed hastily to the king, and shewed him the manner how it stood with his sister's son, desiring the king's grace for to deliver him his sister's son which the Earl of Douglas had in captivity and prison for the time. The king granted very thankfully the same, and caused write a sweet letter of supplication to the Earl of Douglas for to deliver the tutor of Bomby to Sir Patrick Gray, his eame.

" This writing being subscribed and signeted with the king's signet, thereafter delivered to Sir Patrick Gray, to use the same as he thought cause; who passed away hastily with the said writing and supplication of the king to the Earl of Douglas, who was then in the castle of Douglas at the time sitting at his dinner; and hearing told that Sir Patrick Gray, the king's familiar servant, was lighted at the gate, the earl marvelled much at the matter what that could mean, and caused incontinent draw the gates, and rose and met the said Sir Patrick with great reverence and humility, because he was the king's principal captain, and secret servant and familiar to his grace; therefore the earl received him with more thanks: But all was under colour and deceit, for the earl had no favour to the king, nor to any of his familiars; yet he enquired at the said Patrick if he had dined. Who answered he had not. Then the Earl of Douglas said, there was no talk between a full man and a fasting; therefore you shall dine, and we shall talk together at length.

queen service. He understood weill enough the juglings betwext the governour and the chancellor in this matter, as in all other affaires of state, but he forboor to take notice therof; and only

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" In this meantime Sir Patrick Gray sat down to his dinner, and the earl treated him and made him good chear, whereof Sir Patrick Gray was well contented, believing all things to succeed well thereafter. But the Earl of Douglas on the other part took a suspicion and conjecture what Sir Patrick's commission was, and dreading his desire should be for his friend the tutor of Bomby; therefore in the meantime, when they were at the dinner talking of merry matters, the earl caused quietly take forth the master of Bomby out of prison and have him to the green, and there struck off his head, and took the same away from him, and syne covered a fair cloath on his body that nothing might be seen of that treasonable act that was done.

" In this meantime, when dinner was done, Sir Patrick Gray presented the king's writing unto the earl, who reverently received it; and when he had read it, and considered the effect thereof, he gave great thanks to Sir Patrick Gray, saying, he was beholden to him, that brought so familiar a writing from his prince to him, considering how it stood between them at that time: and as to the desire and supplication, it should be thankfully granted to the king; and the rather for Sir Patrick's sake. And took him by the hand and led him forth to the green where the gentleman was lying dead, and shewed him the manner, and said, Sir Patrick, you are come a little too late; but yonder is your sister's son lying, but that he wants the head: Take his body and do with it what you will. Sir Patrick answered him again with a sore heart, My lord, if ye have taken from him his head, dispone upon the body as ye please. And with that called for his horse and leaped thereon; and when he was on horseback he said to the earl on this manner, My lord,

dealles with the chancellor, with whom he had some interest upon his ladyes account of freindship[1] and his oune neighbourhead in Mid-Louthian, to become a mediator for the queen, which at lenth he did with others; and so her majestie was set at libertie; haveing given Sir Alexander Seatoune (who was the first Earle of Huntly) cautioner, that she sould pay four thousand merkes to the governour.[2] This, with other sup-

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if I live you shall be rewarded for your labours that you have used at this time, according to your demerits.

"At this saying, the earl was highly offended and cried for his horse. Sir Patrick seeing the earl's fury, spurred his horse; but he was chased near to Edinburgh ere they left him; and had it not been his lead horse was so tried and good he had been taken. But when thir news came to the king he was heavily discontented therewith, both of the slaughter, then of the chasing of his servant. To that effect the king called his secret counsel to advise hereupon what was the best to be done for to danton this wicked man, that could no ways be stenched from reif, oppression, and slaughter both of great men and small."—PITSCOTTIE, p. 37.

[1] Owing to the connection and friendship between the houses of Rosline and Crichtoun.

[2] M,CCCC,XXXIX. That samyn year, the lord Kalendar Schir Alexander Levingstoun, that tyme beand in the castell of Sterling with the quene, tuke the quene and put hir in ane chalmer, and kepit hir stratlye tharin, till scho was lowsit by the thre estatis, at the counsall haldin at Strivling that samyn year, the last day of August. And that samyn tyme he tuke Schir James Stewart, the Lord of Lornis brother, and William Stewart, and put tham in pittis, and bollit thame. At that samyn

posed crymes eftirward was highly aggravated against the governour and chancellor, when they fell under the king's displeasure.

The tymes still growing worse dureing the king's minoritie, Lord Somervill keeped himself
1441. at home, without declareing for any interest, seing his majesties persone was not in danger nor his authoritie questioned in the persone of his ministers, or such as had power by ther office, by any partie; pride and ambitione in the nobilitie, covetousenes and arbitrable command and overruleing in the governour and the chancellor was the main groundes of the quarrellings and the confusiones that followed therupon, wherin the Lord Somervill conceaved himself not concerned, as haveing no dependance upon either factiones, but in soe far as they mynded the honour and safetie of the king, the peace of the natione, and the weill fare of the country. In the year 1444, the king takes the government upon himself. Upon which the Lord Somervill gives his attendance at court; and was present at the receptione

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counsall Schir James was borrowit be the Lord Gordoun, Schir Alexander Setoune, Lord of the Ylis, Schir William of Crechtoun that tyme chanceller, under the pane of three thousand."—*A short Chronicle of the Reign of James II.* p. 33.

of William Earle of Douglas, sone and heir to grosse James Earle of Douglas, and cussing to William, execute in Edinburgh castle. This nobleman, by reasone of his great estate, the house of Douglas hitherto being still upon the growing hand, and the large fortune that came to him by marrying his oune cussing Beatrix Douglas, called the Fair Maiden of Galloway, was, for opulencie of state, strenth of allyaes, in consanguinitie and affinitie, many vassalles and dependers, with a numerous traine of followers, being far greater in all these then any of his predecessores, made him not only the envy of his equalles in dignitie, but also the terror of his oune prince and country, which at lenth ruined this noble familie, in the persones of this same earle and his successor. Howbeit, at this tyme he had a kynde receptione from the king, haveing acknowledged his error, and promised all subjectione and obedience for the future to his majesties commands. The Earle of Douglas haveing now accesse, and in favour with the king, presently proceeds against Livingstoune and Crichtoune, accuseing them of diverse crymes, as malversation in ther particular offices; but more especially for the death of his cussing and Malcome Fleyming of Comernald, wrongously slain by the governour and chancel-

lor in Edinburgh castle. Thir two gentlemen being summoned to a certane day, they durst not compear personally, but answears by procurators, that they wer ready to give ane account of ther government and all things else before equall judges; but, for the present, when all accesse was closed up with armed men, the king behooved to pardone them. Upon this refuiseall, a second citatione being given, and then not compearing, they were denunced rebelles in a conventione of states keeped at Stirling the fourth of November, and all ther goods confiscat and ordered to be brought in for the king's use.[1]

Dureing the prosecutione of this affair, ther is a parliament called to be held at Perth, but sat
1445. at Edinburgh in the beginning of February 1445. The castle of Edinburgh being at this tyme beseidged, the king was at lenth surrendered by

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[1] "There was ane counsall generall haldin at Strivling, the ferd day of November, in the hender end of the quhilk counsall they blewe out on Schir William of Crechtoun, and Schir George of Crechtoun, and thar advertence. Incontinent efter the outblawing, Sir George and Sir William tuke away Schir Jhon Fosteris gudis, that is to say, schepe and nolt. And syne Schir George tuke the Erll of Douglas horse, and brynt his grangis of Abircorne and Strabrok, and uthir five placis, and brynt the samyn tyme the Blaknestis."—*Short Chronicle of James II.* p. 36.

Crichtoune and himself pardoned, as our historians wrytes of his supposed crymes. To the ratificatione of this pardone and remissione by the king and parliament, William Lord Somervill is witness, and his seall append therto; but it fared much worse with the late governour and his sones, James and Robert Livingstounes, ther cussing David, and friend Robert Bruce, and the two Dundasses, being all summoned to this parliament, wer convict, found guiltie, and had ther sentence; the father and the two Dundasses to perpetual imprisonment, the two sones, with David Livingstone and David Bruce, to lose ther heads. It was at this parliament that William Lord Somervill became intimate with Adam Hepburne Lord Hailles, who was now growing in this king's favour, as his sone and grandchilde Patrick Earle of Bothwell did in that of his three next successors, untill ther pride and ambitione, attended with courtlynes, ruined them in the reigne of Queen Marie to ther everlesting ignominie. However, in this king's reigne and by his favour they wer first nobilitat and eftirward enriched with a great part of the Earles of March ther estate, and then with that of Chancellor Crichtounes, whose castle of Crichtoune, when he was made Earl of Bothwell, by King James

the Fourth, he made his principall residence, as ther buildings doe yet testifie.[1] It was with this nobleman's eldest daughter Hellen Hepburne, that William Lord Somervill contracts his eldest sone and heir John Barrone of Carnwath, to whom he gave the barronie of Lintoune ; which was all the land his father infeft him in before his oune death. This marriage being agreed upon, as the contract beares, upon the twentieth of February, 1445, the conditions being that John Somervill, sone and appearing heir to William Lord Somervill, should marrie and take to his lawfull wife, Hellen Hepburne, eldest lawfull daughter to Adam Hepburne Lord Hailles, and that betwext and the last of Jully in the next year following. In satisfactione of which marriage, and upon the

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[1] The buildings, now ruinous, still show the ancient splendour of the house of Bothwell. They form a large quadrangular court surrounded by buildings of various ages, from the small square tower which may have been the dwelling of the Crichtons, while yet lesser barons, to a suite of apartments divided between the splendour of a palace and the dignity of a castle, and occupying the eastern side of the square. These were probably built, either by the profligate lover of Queen Mary, or by his father. The stile of architecture has a mixture of elegance not to be usually met with in the Scottish feudal castles, though frequently occurring in those of England during the 16th century.

accomplishment of the same, William Lord Somervill, father to the said John, should receave the soume of three thousand merkes passing money in Scotland, to be paid at four severall times eftir the day of the marriage. This contract hes noe inscriptione of hands; but only the parties and witnesses designed hes sex sealles appended therto, which are the Hepburnes, the Hayes, Sinclaires, Prestounes, Baillzies, and Somervills. The marriage was solemnized at the castle of Hailles the tenth of Jully, 1446, which they 1446.
reckoned and began the year, as wee doe now. It was more nor a year and a half eftir the contract; but I rather beleive that they began ther year with the first of March; and soe ther interveened but four monthes betwext the contract and the marriage.

This marriage being over, the Lord Somervill returnes home weill satisfied with the choyse he had made for his sone, and that both in respect of the qualitie and vertue of the young lady, as also in regaird of the security he promised himself from the court factione in that reeling tyme, wherin the wholl country for many years eftir was still in a combustione, occasioned principallie by the king and courtiers jealousies of the Earle of Douglas, who now haveing dashed the

chancellor and governour, some of Livingstounes execute, others imprisoned and forfaulted, with Bishop Kennedie's persone and goods, by ther secret assisters exposed as a prey to them that was pleased to take them; and severall other occurrences that fell out at that tyme, created the Earle of Douglas many enemies, albeit he was yet in the king's favour, notwithstanding of Crichtoune's renued courtship in being imployed as ambassador for to bring home the Queen Marie, the Duke of Quildirt's daughter,[1] which he performed to the satisfactione of the king and country; and yet it is to be observed that in the year 1447,[2] he was forfaulted by vertue of ane act he was instrumentall to make himself, *viz.* the keeping out of a house or castle being summoned by ane herauld of armes, was declared treasonable. This is supposed to have reached himself and the Livingstones the first of any men within this kingdome; for the chancellor being summoned to delyver up his castle of Crichtoune, upon the

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[1] Mary, daughter of the Duke of Gueldres, landed in Scotland, 17th June, 1449.

[2] This is a mistaken date. Douglas was at this period in high power and favour, and held the lieutenancy of the kingdom.

refuisall that very act did militat against himself.

The same year, 1447, I find ane charter of new infeftment, granted by William Lord Somervill, designed of New Bigging, in favours of Walter Ogilvie of that ilk, to a sex oxgate of land within the toune of Quathquan, belonging formerly to John Auchinleck of that ilk. The charter is dated at Edinburgh, the day of 1447. Likewayes in the same year, the first of October, the Lord Somervill contracts his eldest daughter Marie, eftir his oune mother, upon Ralph Weir, and gives in portione with her two thousand merkes, payable at four termes; for the payment of this soume, he binds himself, his eldest sone, John Barrone of Carnwath, John Lockhart of Cloghorne, and John Chancellor of Scheill-hill. Three years thereftir, he marryes his youngest daughter Janet upon James Cleilland, sone and heir to William Cleilland of that ilk. The portione is ane thousand and fyve hundereth merkes, payable at three termes, and twentieth milk kyne with ther followers. 1447.

It was happy for the country that during these intestine broyles and the king's minoritie, ther was noe forraigne war from the year 1423 to the

year 1448; in all which tyme, being the wholl reigne of King James the First, to the eleventh year of King James the Second, ther had been noe warr with England. But this year, 1448, Dumfreis was burnt by the Earle of Salisbury, and Dumbar spoyled by the Earle of Northumberland. In recompence whereof, James Douglas, brother to William Earle of Douglas, burnes the toune of Anweek[1] in England. This was the beginning and preparative to a great battell that followed that same year; for the seven year's truce being first brocken by the English, the Scots therupon took occasione to waste all Cumberland, and, in a manner, depopulates the same. The newes therof being carryed quickly to London, ther is ane armie of fourtieth thousand men ordered to march for Scotland, under the command of the Earle of Northumberland, and one Magnus, a gentleman borne in England, who, being a souldier abroad, had, upon several occa-

[1] Alnwick. In a second foray Douglas burned Warkworth, another principal castle of the rival house of Percy; and in returning homeward a skirmish ensued, in which it was remarked that the son of Collingwood, a Northumbrian baron, made prisoner the Lord of Glendonwyne, who died of his wounds; while Glendenwyne's son took captive the Baron of Collingwood.

sions, given good proof of his valour and conduct. This gentleman, because of his long red beard, was named Magnus Red Beard by the English; but the Scots, in derisione, named him Magnus with the Red Mean.[1] King James, hearing of these great preparationes in England to invade his kingdome, quickly raised ane armie, over whom, as generall, he commissionat Hugh Douglas, another brother of William Earle of Douglas, who haveing randezvouzed his forces, presently marched with the armie towards the enemie, who was allready entered Scotland. All the circumstances and sequell of this battell, with the slaughter of Magnus Red Beard, you have at lenth in the histories of the Douglasses, with the names of some few of these gentlemen that commanded the Scots forces. However, this author forbears or forgetes to mentione the Cliddisdale horse, commanded by John Barrone of Carnwath, eldest sone to William Lord Somervill, who had the right hand of the cavillry, and was wounded by a lance in his right thigh at this

[1] Or mane. This seems to be all a nonsensical fabrication of Boece. Redmain was at this time a common name on the English frontiers, and occurs frequently in Froissart's Account of the Border Wars.

same engadgement, of which wound he was cured at his cussing's house, John Somervill of Mophet, not being able to reach Cliddisdale. The author of the Douglasses Historie, in his relatione of this battell, barely sayes, (without mentioneing the name of this young noble man, or any else of other shyres, except Johnstoune and Maxwell,) with many inland gentlemen; because, sayes he, they had noe confidence in the Annandale men, being more sett upon spoyle then victorie; and indeed they had reasone, the winning of this battell being chiefly attributed to the Cliddisdale horse, and the foot of Carrick and Kyle, commanded by William Wallace of Craigie, who shortly thereftir dyed of the wounds he receaved in this battell.[1] I know ther are many intelli-

[1] The short chronicle of the reign of James II. does more justice to the master of Somerville. "The samin yer, the xxiii day of October, was the battell of Lochmabane stane, within the perrische of Janet Patrik. Quhare Hew of Douglas, Erll of Ormand, was chiftane on the Scottis syd, and with him Schir Ihon Wallace of Cragg, the Lord of Ihonstoun, the Lord Somerwellis sone and air, David Stewart of Castell Mylk, the schyref of Air, with uthir syndry gentillis of the westland, and thair men was callit iiii^{m}. And on the Ynglis syde, the youngar Persye, Schir Ihon of Pennyntoune, Schir Ihon Herntoun, war chiftanis, and with thaim sex thousand of Ynglis men, quhar thar chiftanis war tane, and XV^{c} men with thaim slane, drownit V^{c}. And on the Scottis syde XXVI. slane and tane, bot na

gent gentlemen in this age, and great antiquitaries, that questiones the truth of severall particulars contained in the historie of the Douglasses, as though that author, to magnifie above all measure these of whom he writes, doeth obscure, or, at the least, minches the reputatione of others, particularly in this action, as in severall others that occurred, in the tymes of these memories he writes off. Indeed it seems strange that the place the master of Somervill held at this very engadgement, and the seazing upon the persone of King James the Third in his minoritie at the pretended hunting in *anno* 1466, in favours of the Boyds, by the Lord Somervill, the same of whom wee are now speaking, being at this battell, Barrone of Carnwath, (the designatione of master was not given to a lord's eldest sone untill many years eftir this,) should have escaped that author; as he makes not the least mentione therof, notwithstanding both Buchannan and Drummond hes the wholl storie at lenth; and soe much the more I think strange of it, abstracting from the house of Couthally, former matcheing with the Douglasses, ther late allya

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man of reputacioun war tane nor slane, bot Schir Ihon Wallace deit efter that he come hame, throu misgovernance."—P. 40.

with the Earle of Orknayes daughter, whose mother, Egidia Douglas, was daughter to William Lord of Niddisdale, that marryed Geilles, (or Egidia,) one of the daughters of Robert the Second, the first of the Stewarts, by which the house of Cowthally had a neer relatione, by consanguinitie, both to the Earles of Douglas and Angus. But the truth is, this author, finding the house of Cowthally, from the very originall, (notwithstanding of ther neer neighbourhead to the principall residence of the Douglasses,) to have noe dependance upon the Earles of Douglas, he mentiones the Lord Somervill but once, and the name but four tymes in all his historie. Whether out of prejudice or want of informatione, I cannot say myself, being ignorant in what termes the gentleman stood in with the name when he wrote the Historie of the House of Douglas and Angus. But waveing this, it suffices that other authors, both Scots and English, the confirmations and other grants of the kings of Scotland and England to the houses of Whichenour, Lintoune, Cowthally, and Cambusnethen, with ther oune ancient evidences and other noble families with whom they have matched themselves and ther daughters, makes out abundantly what that author has been pleased to omit.

1450. From the year 1450 to the year 1456, which

was the year wherin he dyed, I find not that this nobleman had frequented the court, notwithstanding that his cussing german, William Sinclair, Earle of Orknay, was made chancellor in the year 1453, and continued in that statione untill three years eftir King James the Second's death. The reasone may be partly his infirmitie, being guttish; for, at this tyme, he was of noe great age. But I rather believe the overturneings he saw in the court and country, things growing from evill to worse; for, in the year 1450, ther falles out ane unluckie accident, which altered the king's affectione and favour from the Earle of Douglas, because of his killing Richard Collvine of Ochiltrie, and all the males of his familie, in regaird the said Richard haveing deadly feed against John Auchinleck of that ilk, killed him as he journeyed to Douglas castle to wait upon the earle. This gentleman had formerly been a vassall to the Lord Somervill in some lands of Quathquan, that he had in proppertie, and was at this tyme a depender upon the Earle of Douglas, which provoked him to this revenge, wherof shortly thereftir he greatly repented; and, to expiate the same, haveing procured a license from the king, he goes to Rome, being the year of juballie, and takes severall

noble men with him, whereof the Lord Hamilton was one, sayes the author of the Douglasses, who anticipats (as he did the constable Arrolls) this noble man's title, for he receaved not that dignitie untill eftir the Earle of Douglas his death in *anno* 1455. The particulars of this journey, the earl's comeing back by England, what happened to his chamberlane Semintone dureing his absence, with the earles regorous proceedings against the Lord Herreis and the tutor of Bumby, his last and worst act, in joyneing in league with the Earles of Craufuird and Ross, his oune slaughter by the king's hand in Sterling Castle, and that which followed therupon, are soe fully spocken to by all our authors that it would be labour in vain to repeat every circumstance relateing to these affaires, especially seeing that in all these occurrences William Lord Somervill lay by and mynded his private concerne, as is evident from what followes.

1451. The same year wherin the natione was in that consternatione, ther is ane instrument taken by him in the hands of John Geddes, publict nottar of Glasgow, wherin is contained and insert three ancient charters, granted by King David the Second, in favours of Sir John Edmondstoune, this nobleman's aine grandfather, to the lands

and barronie of Cambusnethen, which formerly for a long tyme belonged to the name of Baird, who was heretor of that barronie before the forfaulture. The charters beares date the seventeinth year of that king's reigne, which was in the year of God 1451. Ther are many noble men witnesses in the forenamed charters, such as John Randall, Earle of Murray, William Earle of Douglas. This was the first earle of the familie, Thomas Bruce, Earle of Carrick, Malcome Fleyming, Earle of Wigtoune, Patrick Dunbar, Earle of March, Patrick, Bishop of Breichen, Chancellor of Scotland. Ther is likewayes extant a right made to this nobleman of the ten merk land within the barronie of Brughtoune, in the sherefdome of Peebles, by Hendrie Weir, brother and heir to Ralph Weir, Laird of Blaiekwood, who was sone-in-law to William Lord Somervill, and dyed about this tyme, with his lady, and left noe successione. This right is dated at Cowthally, the tenth of September, 1452. The charters upon this dispositione are dated att Edinburgh, the twentieth and fourth of Jully, 1454. 1452. 1454.

The year 1455, he dispones the lands and barronie of Plain to his youngest sone, William Somervill, upon his marrying of Margaret Ha- 1455.

milton, eldest lawful daughter of William Hamilton of Prestoune; and this began the house of Plain, being the first cadite in the qualitie of a barrone of the House of Cowthally,[1] which continued in the lyne of this gentle man for neer two hundereth years; and was at lenth sold by Alexander Somervill of Plain to Sir Thomas Nicolsone of Carnock, much about the year 1642. Ther remain yet of the descent of that familie a youth now sexteinth years of age,

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[1] We find a Thomas Somerville of Plaine, the son probably of William, engaged in a law-suit with the Abbot of Cambuskenneth in 1473, for annuity payable to that religious house out of his estate of Plaine. *Vltimo Julio*, 1473. "In the actioune and causs persewit be a venerable fadir, Henry Abbot of Cambuskynneth and his convent on ye ta part, againe Thomas Somervile on ye toyir part ayent ye wrangwiss detentioun and withhaldin fra him of V *li.* of ye rest of ane zerelly annuell of V *li.* aucht of certane termes bigane to ye said abbot and conuent of ye half of ye landis of ye Plane. Bath ye said partiis beand personali present, and yair euidentis richtis resouns and allegatiouns at lenth sene, herd, and vnderstandin, the lordis decretis and deliueris, yat becauss ye said Thomas made impediment to ye saidis abbot and conuent, and yar officiatis in ye distrenzeing for ye said annuell, and tuke ye pandis fra yaim, considering yat ye said annuell of V *li.* is aucht of ye saide landis of ye Plane, yat yarfor he sall conset, restor, and pay to ye said abbot and conuent ye said soume of V *li.* restand awand as said is, and yat letres be writin to distrenze him, his landis, and gudis yarfor."—*Records of the Parliament of Scotland.*

named James Somervill, sone to Alexander Somervill of Plain. This gentleman, Major Somervill, the estate being sold by his father, he takes himself to the warres, wherin he gained much reputatione both in Scotland and Ireland, dureing the tyme of our civill warres; which being over, and the king's interest and party being ruined at Wolster fight, he goes to Fflanders, and served under His Royall Highnes the Duke of Albanie and York, whom, at the battell of Groveling, being engadged by the enemie, and allmost taken prisoner, this generous gentleman, by his personall gallantry, releaved and brought safe off in despight of all the enemies endeavours to the contrary; for which speciall service, upon his majesties happy restouratione in the year 1660, this gentleman was preferred by his royall highnes to be eldest brigadier to his oune troup of guaird; in which imployment he continued for neer two years; and was at lenth unfortunately killed at a duell, being second to another gentleman, who being worsted and disarmed by the partie with whom he fought, both the principall and the second who was in the debeat with Somervill falles upon him, and at lenth killes him by a wound in his bellie, under pretext that he would not give up his armes now when he saw

his principall disarmed ;[1] for which fact, eftir diligent search and inquirie was made for them

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[1] In addition to the cruel and absurd custom of seconds engaging as well as the principals of a duel, the rule in ancient times was, that when one of the combatants was dispatched or disarmed, his antagonist assisted his companion in overpowering the other. A great part of Beaumont and Fletcher's play, called "The Little French Lawyer," turns upon this custom. Neither was it accounted dishonourable to overwhelm a gentleman with such unreasonable odds. Brantome, giving an account of a duel in which the celebrated Mareschal Biron fought with a Sieur de Carancy with two seconds on each side: "La fortune fut si bonne pour Monsieur le Baron et ses deux confidants, que chascun tua bravement son homme, et l'estendit mort par la terre. Aucuns dirent que Monsieur de Biron plus vaillant, prompt et soudain de la main, (ainsi qu'en tous arts aussi-bien qu'en celuy de Mars, il y a des artisans plus prompts et diligens à faire leur besoigne que les autres,) despecha son homme le premier, et alla ayder aux autres: en quoy il fit très-bien, et monstra qu'avec sa valeur, il avoit du jugement et de prévoyance, bien qu'il fust encore fort jeune, et n'avoit point encore fait tant d'expetises d'armes comme il en a fait depuis, qui l'ont rendu l'undes plus grands, et vaillans capitaines de la Chrestienté, ainsi que je le descris dans mon Livre des grands Capitaines François et Espagnols que j'ay fait.

"Cette susdite prévoyance luy faisoit sa leçon, pour ne se fier trop en ce Dieu Mars, qui est le plus ambigu et le plus doubteux Dieu des tous les autres. Que si on se laisse par trop aller à sa fiance, et ne fasse-t-on cas de l'advantage qu'il vous a donné une fois, il le vous oste bien par amprès, et le vous fait cher couster; ainsi que possible mal est pris, ou à Monsieur de Biron, ou à ses compaignons, s'il les eust veu et laissé faire, et ne les eust assistez. Aussi éstoit-il trop courageux, pour ne jouer la partie qu' à demy, et en avoir le passe-temps. Ainsi

by his royall highnes, thir two gentlemen wer for ever banished England.

Efter the year 1456, I find not any thing of William Lord Somerville, but that he lived to see his eldest sone the second tyme marryed upon Marie Baillzie, daughter to William Baillzie of Lammingtoune. He died suddenly upon the twentieth of August, 1456, of a surfith of fruit that came from Cambusnethen to Cowthally, as was supposed; for, haveing eaten plentifully of thir fruit at dinner, he dyed before sex at night, being then but in the fyftieth or fourtieth and nynth year of his age. His vertuous lady, Janet Mowat, took so ill the sudden death of her husband, that she contracted a consumptione, and dyed within two years eftir her husband. As for himself, he was a nobleman of much busines in the countreyes where he had interests, takeing away many feeds and quarrells amongst his neer neighboures to ther great satisfactione; as is evident from severall submissiones to him yet extant, by persones of good ranke and qualitie. 1456.

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doit fair tout coeur généreux, et soustenir son compaignon jusques à la derniere goutte de son sang, si n'estoit que le camp fust esté conditionné."—*Oeuvres de Brantome, Paris,* 1787-8, *tome* VIII. p. 79.

He made it his great busines to mentaine and better his oune fortune more by his care and industry then by the court, notwithstanding of the interest he might have had there, by his great friends and relationes, the chancellor being his cussing-german, preferred to that high office three years before this nobleman's death; and that he himself had much of his prince's favour and presence, as is evident from his being witnes to many of the grants given by King James the Second.[1] He lyes buryed in the yle of Carnwath, with his father, Lord Thomas, and Dam Marie Sinclaire, his mother, wherin also his oune lady was interred.

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[1] Particularly to the confirmation of the various grants made by the ancestors of James II. to the abbacy of Dunfermline, to three charters of that prince in the chartulary of Murray, and to one in the chartulary of Newbottle, granted to William de Liddell.

Off John Lord Somervill, the fourth of that Name, the nynth Barrone of Lintoune, the sexth of Carnwath, the third Lord Somervill, and the fourteinth from Sir Gualter de Somervill, Lord of Whichenour in England.

To William Lord Somervill succeeded his eldest sone and heir, John Lord Somervill, in the year 1456, as his retour testifies, being served heir to his father att Edinburgh, before James, the first Lord Hamilton, then sherriff principall of Lanerk, upon the twentieth and second day of October, to the lands and barronie of Carnwath, the Barronie of Cambusnethen, and the fourth part of the barronie of Stenhouse. Likewayes, the same year, he is served heir to his father in the half of the lands of Gillmertoune, holding waird of the king as Earle of Strathearne by ane inqueist, att Edinburgh, the twentieth of December, 1456, before Thomas Prestoune, sherriff-deput of Edinburgh. In March preceeding, 1456, John Lord Somervill being a widow, by the death of his lady, Dame Hellen Hepburne, daughter to the Lord Hailles, he marryes Marie Baillzie, daughter to William Baillzie of 1456.

Lammingtoune, who beares to him the year en-
1457. suing, 1457, in the moneth of Apryle, a sone named John, eftirward designed Sir John of Quathquan, the first Barrone of Cambusnethen of the name of Somervill, efter it was separat from the house of Cowthally, and became a distinct familie of itself. Off this gentleman, Sir John of Quathquan, wee will have occasione to wryte frequently in his father's life, his brother William's, and his two nephewes, to whom he was both tutor and curator for neer twentieth years.

This nobleman, John Lord Somervill, haveing given good prooff of his conduct and valour in his ffather's lifetyme, when he was master of Somervill, or barrone of Carnwath, (as the custome was then to designe the eldest sone of a lord,) att the battell of Sark, neer to the bruik of Gulloway, in the year 1448, wherin that great champion was slain, named Magnus with the Red Beard. Soe did this young nobleman remaine for the most part att court, in the retinue and companie of William Earle of Orknay, then chancellor of Scotland, the same that built the collegiat church of Rosseline, soe famous for its structure and diversitie of workemanship, justly esteemed one of the most rare and curious fa-

bricks within the isle of Brittane. This nobleman being his cousine-german once removed, he continued with him. But when in actione for the king against the Earle of Douglas, dureing the commotiones that succeeded the death of William Earle of Douglas, killed by the king in Stirling castle, upon the therteinth day of February, 1452; for whose death not only the greatest part of the Douglasses, but several other noblemen and great clanes, was influenced and took armes; such as the Earles of Craufuird, the Earle of Rosse, and the Earle of Murray, brother-german to the Earle of Douglas, who conveened great forces, by themselves, freinds, and allyaes. Soe that if ther dilligence and foirsight had been answearable to ther force, they had a fair opportunitie to have ruined the king and all his wholl interest. The very feares and apprehensiones therof had once possest his majestie with some thoughts of going out of the countrey; but that he was perswaded to the contrary by Bishop Kennedie, then Arch-bishop of Saint Andrewes, whose counsell at that tyme and eftirward, in most things, he followed, which at lenth proved to his majesties great advantage; for the Douglasses and ther adherers being frustrat of ther second attempt against the castle of Stirling,

wherin the king himself was in persone, and thereftir the earle himself being baffelled before the castle of Dalkeith, which was stoutly defended by Patrick Cockburne and the laird of Clerkingtoune, that the earle, eftir great travile, mutch watching, and many wounds, was forced to leave the seidge and depart. This affront, with the Earle of Craufuird's being defeat by the Earle of Huntley,[1] and eftirward makeing his peace with the king, and his declyneing to fight the king's forces, when he went to raise the seidge of Abercorne, when he was advysed therto by James Hamilton of Cadzeou, (eftirward made Lord Hamilton,) who, from his brother's death, had been a faithfull counsellor and a stout asserter of this earle's interest untill that very day.[2] But now

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[1] In the battle of Brechin, fought 18th May, 1451, in which there fell on the Earl of Crauford's side, his brother and nearly threescore gentlemen of rank bearing coat-armour, besides inferior persons. The Earl of Huntley's brother, William Seton, was also slain, with a few other persons of distinction.

[2] The averment of our historians, who, in this dark period, are indeed the blind leading the blind, unanimously bears, that Douglas advanced at the head of a large army to raise the siege of Abercorn: But the better authority of the Short Chronicle so often quoted, leads us to doubt this statement, and to believe that it was not Douglas's hesitation to fight with the king, but his remaining so long in England, that induced the Knight of Cadzow to desert his cause, and blighted the courage of his

finding the earle to neglect that opportunitie, wherein he was fair to have casten the dyce for

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other adherents.—" The yer of God M.CCCC.LV. in the begynning of Merche, James the Secund kest doune the castell of Inveravyne, and sine incontinent past till Glasgw, and gaderit the westland men, with part of the Arcschery, and passit to Lanerik and to Douglas, and syne brynt all Douglasdale, and all Avendale, and all the Lord Hammiltonnes landis, and heriit them clerlye, and syne passit till Edinburgh, and fra thin till the forest, with ane ost of lawland men. And all that wald nocht cum till him furthwith, he tuke thair gudis and brynt thair placis, and tuke faith of all the gentillis clerlie. And all this tyme the Lord Hamiltoun was in Yngland till have gottyn suple, and couth get nane, bot gif the Douglas and he wald have bene Ynglis men, and maid the aith. And incontinent efter, the king passit in proper persoun, and put ane sege till Abercorn. And within vii dayes Lord Hammiltoun come till him till Abercorne, and put him, lyf, landes, and gudis, in the kingis will purelye and sempillye, throw the menis of his eme James of Levingstoun, that tyme chalmerlane of Scotland. And the king resavit him till grace, and send him on incontinent with the Erll of Orknay, that tyme chancellar of Scotland, till remane in ward in the castle of Roslyne, at the kingis will. And thus he left the Erll of Douglas all begylit, as men said. And men wist not grathlie quhar the Douglas was. All this tyme the king remanit still at the sege. And thar was mony hurt and nane slane, till Sanct Georgis day, outtane Allane Pantour, that was that tyme the most ingenious man that was in Scotland, and most subtell in mony divers thingis, and was slane with ane ganye, throu misgovernyng of himself, and was richt mekle menyt be the king, and mony uthir lordis. Thus the king remanit still at the sege, and gart strak mony of the touris doune, with the gret gun, the quhilk a Franche man schot richt wele, and falyeit na shot within a faldome quhar it was chargit him to hit."—*Short Chronicle*, p. 53.

the croune, he leaves him, and goes to the king, off whom he was kindely receaved and accepted, notwithstanding of his former practices against him, in behalf of the Earle of Douglas. The king, by Hamilton, understanding that a great part of the Earle of Douglasses armie was discontent with his lingering, and the great motive that keeped them now together was ther doubting of pardone for ther former offences; wherupon the king presently emitted a proclamatione, promiseing a pardone and remissione to all that would leave the Earle of Douglas, and come in to him within fourtieth and eight hours. This being published, the most part of his armie leaves him by the next morning. Wherupon he quytes the fields, and leaves the castle of Abercorne unreleaved, which was taken by the king, demolished, and those within execute as traitors. Eftir this, the earle was constrained to flee into England in the year 1455. The same earle returnes into Scotland, and gets together a small company of men, where he was encountered by the king's forces and defeat, the Earle of Murray, his brother, slain in the feild, his other brother, the Earle of Ormond, hurt, and eftirward execute. The earle, eftir this defeat, being abandoned by all, betakes himself to Donald of

the Isles, whom he perswades to reneue his clame to the isles. Wherupon Donald takes armes, wastes Argyle, Arrane, Lockaber, and takes the castle of Invernes, burnes the toune, and proclames himself king; but at lenth hearing the Earle of Douglas, who had gone from him some tyme before, was defeat, and with him Henrie Percie, Earle of Northumberland, in the Merse, the newes wherof soe frighted Donald, that he sent and submitted himself to the king. In all this tyme, which was the space of fyve years, John Barrone of Lintoune was either at court or in the host when they wer in the feilds, for which he might have suffered much by the forces of the Douglasses in his lands and barronies upon Clyde, that lay neerest to that enemies greatest interest; but that it was his good fortune that dureing these broyles, wherin ther was soe much devastatione and ruining of interests, as they wer concerned for the one or other partie, that his father, Lord William, was alyve, who being noe medler of himself, and not called furth by his prince, in respect of his sone's constant attendance, preserved, by his prudence, his vassalles and tennents lands and goods from being preyed upon or destroyed by the Douglasses and these that adhered to them. But, at

lenth, these commotiones being over, much about the tyme or a litle before his father's death, by the king's getting the victory over all these that opposed him and disquyeted his kingdome, John Lord Somervill setles himself att his castle of Cowthally, in order to the attending of his private affaires, haveing followed the court and the camp from the year 1448 to the year 1457.[1]

1458. The first evidence that I find of this nobleman eftir his father's death is, that, upon the first day of November, 1458, Walter Hallyburtoune of Kinmossy grantes a charter for new infeftment to George Chorsewood, Bishop of Brichen, then chancellor of Scotland, for new infeftment in the lands of Quathquan, holding of John Lord Somervill; and upon the third of November, the year following 1459, John Hallyburtoune of Glassefilline, sone and heir to Walter Hallyburtoune, ratifies, by a new charter, his father's former rights, in favour of Thomas Chorsewood, brother-german to George Bishop of Brichen. Upon which two charters ther is resignatione

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[1] The author, who had no access to the mass of original historical documents since arranged and published by Rymer, was ignorant that, in 1457, John Lord Somerville appears as one of the conservators of peace with England.—RYMER, xi. p. 397.

made in the hands of John Lord Somervill by George Bishop of Brichen and Thomas Chorsewood, his brother-german, for new infeftment. Wherupon John Lord Somervill grantes a charter of confirmatione to the lands of Quathquan, in favours of the chancellor, dated att Edinburgh, the sixth day of November, 1459. The fourth of May preceding, Patrick Ogilvie and Isabell Fentoune his spouse, with consent of ther superior, resignes ther interest in the lands of Quathquan, in favours of David Crichtoune, John Chorsewood, Mr Adam Lyle, James Dumbar, and George Wallace. Wherupon ther is a charter granted by John Lord Somervill of the date foirsaid.

This nobleman, by an inqueist att Peebles, 1459. before John Hay, Thomas Hay, and Archibald Lyle, sherriff-deputs of Peebles, is served heir to his father the fyfth of June, 1459, unto a ten merk land within the barronie of Brughtoune and sherifdome of Tweddel. The same year he grantes a presentatione in favours of Mr William Blair to the church of Lintoune. This presentatione is dated att Cowthally, the twentieth and first day of May, 1459.[1]

[1] In this year John Lord Somerville is again named one of the conservators of the peace with England.—RYMER, xi. p. 434.

1460. This fatall year being come, King James the Second takes great indignatione that the castle of Roxburgh should be in English men's hands, when all other strenthes in his kingdome had, many years preceeding, in his father's life and his oune minoritie, been taken from them, and that castle only remained of all ther former conqueis in this natione, by the two Edwards, the First and the Third of England. The king, in order to this designe, raises a great armie, consisting of threttieth thousand men, in Jully, 1460, with which he beleiggers the castle of Roxburgh, haveing encamped and entrenched his armie upon both sydes of Tweed and Tiviott, thereby to hinder the beseidged from excursiones and forreageing the countrey for victuall to themselves and ther horses, it now being the harvest tyme. The seidge continued from the first of August untill neer the later end of September without any disturbance from England; the dissentiones of the houses of Lancaster and Yorke had soe devyded and distracted that natione, that they wer not in a conditione to raise or send ane armie to Scotland for the releiff of the castle of Roxburgh, the seidge wherof still continued, being both weill defended by the garrisone and strong of it self, by reasone of the situatione,

which is betwext two great rivers, Tweed and Tiviott, built upon ane high eminency or hill, strongly walled with double rampers and ditches, according to the fortificationes in use at that tyme, of a great circumference; soe that it appeares, by the ruines, to have been rather a cittiedale then a castle. The descriptione of the fortificationes of this castle, the maner of the seidge itself, with the approaches of the armie thereto, the planting of ther batteries, and all the severall attackes made therupon dureing the continuance of the seidge, are quyte omitted by our authores, which speakes either ther want of informatione, or ther want of skill in militar termes to delyver the memorie of this seidge to posteritie, which certanely hes been very famous, both as to the maner and forme observed therin; and also for the actione of particular men, which, through the ignorance or omissione of our historians, is quyte lost. However, it proved very fatall in the end, by the death of our king, who, delighting to see the gunnes fyred from the batterie upon this syde of Tweed, stood too neer a peece of ordinance, which, being overcharged, breakes all in peeces: A wadge therof unhappily killes the king, and hurtes George Earle of Angus, without killing or hurting any man else

upon the place.[1] This was a fatall blow to the armie, but much more to the natione, in being depryved of soe vertuous and gallant a prince, in the very flower of his age, being then in the threttieth year therof. Advertisement being given to the queen, she hastens thither with her young sone, the prince, then seven years of age, continued the seidge, and, lyke ane other Amasone, by her own example encourages the souldiers to be valorous, and to unnest from that hold the ancient enemies of ther countrey, which had keeped that part of it soe much under subjectione and slavery. At lenth, many of the bullwarkes of the castle being battered, and breaches made in severall places of the walles, the armie was ready to storme upon all quarters: Wherupon the garrisone, knowing ther oune danger, and dispairing of any releiff from England, gave it over to the queen, who immediately razed it to the ground, that ther is litle at this day to be seen, save a few vaults beneath the ground, and somè small parsell of the wall standing here

[1] A bush, within the domain of the Duke of Roxburgh's park of Fleurs, still marks the place where James fell. The unlucky cannon was one of the hooped pieces of artillery used in the infancy of the art of gunnery.

and there.[1] From the beginning to the end of this seidge, John Lord Somervill was present,

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[1] The Duke of Somerset, Protector of England, made an entrenched camp upon the site of Roxburgh castle, in his return southwards after the battle of Pinkie.—See PATTEN'S *Narrative, prope finem.* "The plot and syte whearof hath bene in tyme paste a castell, and standeth naturally very strong vpon a hyll east and west, of an eyght score in lenth, and iii score in bredth, drawynge to narrownes at the easte ende; the whole ground wherof the old walles doo yet enuyron. Besyde the heyth and hardines to cum to, it is strongly fenced on eyther syde with the course of ii great rivers, Tivet on the north and Twede on the sowth; both which joyning sum what nie togyther at the west ende of it, Tyuet, by a large cumpas abowte the feldes wee laye in, at Kelsey dooth fall into this Twede, which, with great deapth and swiftnes, runneth thence eastward into the sea at Berwyk, and is notable and famous for ii commodities specially, salmons and whetstones. Ouer this, betwyxte Kelsey and Rokesborowe, hath thear bene a great stone bridge with arches, the which the Scottes in tyme paste haue all to broken, bycaus we shoold not that wei cum to them. Soon after my lords graces survey of the plot and determinacion to doo as much indeede for makynge it defencyble, as shortnes of the tyme and season of the yere could suffer, (which was that one great trench of twenty foot brode, with deapth according, and a wall of lyke breadth and heyth, shoold be made a cros within the castle from the tone sidewall to toother, and a xl foot from the west ende; and that a like trench and wall shoold likewise be cast a travers within, about a quoyts cast from the east ende, and hereto that the castel walls on either syde, whear neede was, shoold be mended with turfe, and made with loop-holes, as well for shooting directly foorthward, as for flankying at hand; the woork of which deuise did make, that bisyde the sauegard of these trenches and walles,

being very serviceable to both ther majesties and the armie, in causeing dayly provisione come in from his oune barronie of Lintoune and the adjacent countrey about, being neerly allyed to the Kers of Cessefoord and Fairniehirst, that had the greatest command and estates in that part of the countrey. The seidge being brocken up, upon the surrender of the castle, and the armie dismissed, the Lord Somervill haveing kissed the queen's hand, and the young prince, now king, he reteires to his tower of Lintoune to order his affaires in that barronie, the same being at a great distance from the main of his estate, which, at this tyme, lay within the sherifdome of Clidsedale.

The Lord Somervill haveing setled his affaires in the south, he comes to Edinburgh, where, haveing visited the queen mother, and the young king her sone, reseiding then in the castle of Edinburgh, he found, by discourse, her majestie resolved to committ the tutorie of her sone the

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the keepers shoold also be much fenced by both the ende walles of the castel,) the pioners wer set a woork, and diligently applied in the same."—PATTEN's *Expedicion into Scotland, apud* DALYELL's *Fragments of Scottish History*, Edin. 1798, 4to, p. 86.

king to non but herself; albeit her majestie was advysed and solicite to the contrary by severall of the nobilitie, who even then was beginning to draw in factiones about this very matter; albeit the busines broke not furth untill the ensueing year, 1461. The Lord Somervill, about this tyme, became very intimate and inward with George Earle of Angus and Douglas; for this nobleman had the titles of both, since the forfaulture of James Earle of Douglas, in the year 1457, in which year a great part of the estate and title was conferred upon Angus by King James the Second, notwithstanding that the Earle of Douglas was yet alyve, as he was for many years eftir this. With these noble men, that stood in oppositione to the queen and her factione, did the Lord Somervill joyne himself; and he is the first of the house of Lintoune and Carnwath that I find entered in any combinatione, familiaritie, or freindship with them, notwithstanding of ther greatnes, neer neighbourhead, and that they had once matched with the house of Loudenhill, that was then Douglas, in whose right they had the barronie of Carnwath; and that his oune grandmother, by his mother, was a daughter of that familie of Angus, being daughter to Geilles Douglas, who was only

daughter to William Lord of Liddesdale, that marryed Geilles, or Egida, daughter to King Robert the Second, the first king of the name of Stewart; and that the same lord, dureing King James the Second's reigne, and the life of his oune father, Lord William, was a declared enemie to that familie: But this may be supposed to be upon noe other ground but because they wer at variance with ther prince, to whom this young nobleman still adhered, as in duety and allegiance it became him; the name of Douglas being at variance amongst themselves, and devyded upon this very account; for ther was not a greater enemie to the Earle of Douglas then this George Earle of Angus, with whom the Lord Somervill joyned in freindship upon the publict account, which was a presage of that neer affinitie that should be betwext ther families the next generatione.

1461. This bussines of the factiones not being yet come to any maturity or outbreakeing, the Lord Somervill goes west to his house of Cowthally, where, understanding that his cousine and neighbour, Sir Gilbert Herring of Edmondstoune, in Cliddesdale, being non of the frugalist, was dilapidating and makeing away much of his estate by wadsetts, and some by absolute venditione, a

thing unusuall in that age, for a man to part with his father's inheretance; and, in effect, in that and the preceeding, it was not in use to sell lands: The only way of comeing to them was one of these four wayes, by foirfaulture, marriages, donationes, and excambione; and it is beyond all controversy, most of the great estates of Scotland, before the year 1500, came that way. Howbeit, it will appear, from evidences in my custody, and that I have seen of others, that the buying or selling of lands was beginning to be in use about the year 1400; for excambione of land, and great mens giveing of lands for services done, and to be done, was ordinary and frequent upon the account of keeping up ther feedes.[1] Yea, marriages themselves was made up

[1] *Feuds.* It may be remarked, that as almost all the lands granted by the great barons to their vassals were held by military service, and were frequently granted to them only for their own lives, the field of battle was often the place where the vassals demanded that their sons should be secured in their father's possessions by the feudal superior, a remarkable instance of which occurred in the battle of Brechin. "The Earl of Crawford assembled a great army of his allies, kindred, and friends, with the whole folks of Angus; and thereafter, when the Earl of Huntley was marching towards Angus, the Earl of Crawford camped his folks beside the town of Brechin; where both the armies coming in others sight, rushed forward in arrayed battle upon other. It was long foughten with great

upon that consideratione, and bands of mandrey granted, as is evident from this nobleman's

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cruelty and uncertain victory, till that a company of fresh men came to renew the battle, taking the advantage of the knowside, who came so fiercely on the Earl of Huntley's vanguard, that they were compelled to settle a little back; the which when the Angus men perceived that they were put back, and having advantage, they came more fiercely upon them than before, and, namely, upon the place sorest charged. But in the meantime a captain of the Earl of Crawford's, to wit, John Colless of Bonymoon, who had in governance three hundred able men, well armed, and bore battle-axes and halberts, with other short weapons, this John Colless fled from the Earl of Crawford traiterously, and caused others to flee with him, where through he tint the field: And because the laird desired his son to be put in fie of his lands, who were holden of the Earl of Crawford, with other commodity and gains, that this laird desired at the Earl of Crawford's hands; who answered him and said, the time was short, but bade him do well that day with him, and prove a valiant man, and he should have all his desire and more: But the Laird of Bonymoon, not contented with this answer, passed from him with a grief, and arrayed his men and put them in order, as he would have fought-en most furiously; but when he saw his time come that he should have rescued the Earl of Crawford, who was fighting then cruelly, the said captain drew himself aside cowardly, and made no support to the said earl, who, seeing his men departing from him treasonably, by command and convoy of this captain, he was constrained to flee for safety of his life."—*Pitscottie*, p. 42.

From the same *naive* historian we learn that a similar instance of ill-timed parsimony facilitated the destruction of the religious house called the Chartreaux, in Perth, at the beginning of the Reformation. "John Knox having preached open-

practice, which shall be spocken to eftirward. The Lord Somervill finding it fitt and propper for himself to make a purchase of the lands of Carsewall, that lay within his barronie of Carnwath, and held of himself, upon the twentieth and second day of February, 1461, he enters into a contract with Sir Gilbert Herring of Edmondstoune, wherin the said Sir Gilbert, with consent of his wife, Dame Elizabeth Ramsay, wodsettes to John Lord Somervill, his heires or assignayes, the lands of Carsewall, with the per-

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ly after dinner, they destroyed all the idols in the town. Thereafter assembling on the bridge, they caused John Knox to conceive a prayer to God Almighty, to direct them to do that which might serve most for the glory of God and good of his kirke. Then they concluded to pass and demolish the Charter-house. But the prior, suspecting their purpose, had brought down his tenants of the highlands of Athole to defend the place. They, knowing their hazard, desired the prior to put their wives and eldest sons in theer tacks, which, if he would do, they promised to hazard their lives in his defence; but the prior refused this. Then they desired the prior to give them wine, and of his best drink, to encourage them; which was also refused, and nothing given to them but salt-salmond and small drink; whereby they had no courage when they had most ado. The congregation sent the Laird of Moncrief, being the prior's kinsman, to counsel him to leave idoletry, and serve God according to his word: But he refused to obey their desire; whereupon the congregation passed to the Charter-house, took forth the prior, spoiled the place, and gave the spoil to the poor.—*Ibid.* p. 203.

tinents, lying within the barronie of Carnwath, for the soume of twelve score of merkes Scots, four score wherof to be payed to himself, and eight scorse of merkes therof to be payed to Robert Ramsay of Collurehope. In this contract the Lord Somervill is obleidged to give ane leice of reversione in favours of the said Sir Gilbert and his heires, with ane obleidgement, that upon the payment of the twelve score merks, the said Sir Gilbert, or his heires, should be reponed to the lands of Carsewall. Preceeding this indenture, I find Sir Gilbert Herring had disponed the very same lands of Carsewall irredeemably to Thomas Somervill of Batla, with consent of Dame Elizabeth Ramsay, and that upon the thertteinth day of March, 1461, wherupon ther followes charter and seasing, dated the fyfteinth day of September the same year; ther being as witnesses in both, Thomas Somervill of Cambo, and William Somervill of Newbigging.

1462. In the year 1462, falles out the dissentiones amongst the states, anent the electione of a governour and protector for the young king, James the Third.[1] The greatest part of the nobilitie

[1] All this pretended dispute seems to be fabulous. Our author followed Buchanan and Godscroft.—See PINKERTON'S *History*, vol. I. p. 247.

withstood the queen; and such as joyned with her, a conventione being called, the queen, by her oune factione, gettes herself declared tutrix; wherupon the nobilitie upon the other syde, being headed by George Earle of Angus, and James Kennedy, Bishop of Saint Andrewes, comes to the cross of Edinburgh, where the bischope made a speech to the people, intimateing that their intentiones was nothing else but to observe the ancient custome, in maintaineing the old law and priviledges of the natione, which was for the nobilitie to choyse a persone, one or more, as should be thought fitt for soe great a trust. This speech being ended, as they wer reteireing, some informed that these in the castle, being the queen's party, wer comeing to assalt them. Wherupon the Earle of Angus would needs fight them, albeit nether himself nor these noblemen with him wer armed, expecting noe such thing, but was advysed to the contrary by John Lord Somervill and John Lord Kennedy, the Bishops of Glasgow, Galloway, and Dunkeld. In the mean tyme, mediating betwext the parties, the busines was composed, and assurances given for a moneth, att the expyreing wherof both parties being mett peaceably, they agreed that four should be choysen, two of each

syde; for the queen's, William Lord Grahame, and Robert Lord Boyd, then chancellor, sayes the author of the Historie of the Douglasses; but, by his favour, he is mistaken; George Chorsewood, Bishop of Brichen, still officiat in the qualitie of chancellor, untill the year eftir this electione, as is evident from the publict catalogue of our chancellors, and many privat evidences yet extant, wherof ther is some in my oune custodie. But these mistakes are ordinary of wrytters, advert not weill to the tymes of publict ministers incomeing and outgoeing from ther places of publict trust. The nobilitie, upon the other syde, choysed Robert Earle of Orknay. This nobleman, in the third degree, was cousine to John Lord Somervill; the other was John Lord Kennedy, related to the royall familie by his grand mother. Some tyme before this electione, George Earle of Angus and Douglas dyed. His sone Archibald, the sexth Earle of Angus, being a child, succeeded to him. This noble man eftirward was commonly called Bell the Catt, upon the answear he gave unto the counsell held at Lauder Bridge long thereftir. This electione being over, and the four regents established by the representatione of the natione in ther authoritie, the nobilitie upon both sydes returnes to

ther respective dwellings, as did the Lord Somervill to Cowthally: Where I find, amonst other of his private concernes, he takes a band of mandrey of his cousine, the Laird of Closseburne, the tyme of the king's minoritie beginning to grow gloomy, and that because of the insolency of the Boydes, (as the great men pretended,) who now manadged all under the queen, seldome or never consulting or advyseing with the other three. Angus being now dead, his sone young, Bishope Kennedy old, altogither unfitt, or at least unable, to attend the counsell, a storme was expected; thairfore every man of qualitie provyded as weill as they could for ther oune safety and strenthening of ther party, by bands of mandrey, or bands of protectione, from persones of greater qualitie and following in the same country where they lived themselves, or elsewhere, as ther affectione or interest led them, as did this Lord Somervill from the Laird of Closseburne, which I will transcribe here, that the tenor and forme of a band of mandrey, then in use, may be knowne and remaine for the future, seing most of them are but short and easily lost, if they be not the better looked to amongst the multitude of papers that for ordinary most

of the nobilitie and families of any antiquitie hes in ther charter chists.

The Tenor of the Band of Mandrey followes.[1]

" Be it kend till all men be thir present letters, me, Thomas of Killpatrick, Laird of Closseburne, and sydesman to ane honourable lord, John Lord Somervill, for all the dayes of my life; and obleidges and binds me to the said lord, be the faith of my body, and be thir my present letters in manred and sworne counsell; and to be with him as freely in all actiones, and causes, and

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[1] These bands of manred, or manrent, did by no means necessarily infer the constant or habitual dependence of the party granting upon the party receiving them. They were temporary arrangements of alliance, in which particular family circumstances, or large benefits received, induced chieftains, otherwise independent, to unite themselves for a time under a common head or protector. The ancient and distinguished family of Kirkpatrick was at this time nearly connected with that of Lord Somervill. Thomas Kirkpatrick was either his brother-in-law or his nephew, by the mother's side; and he was also brother-in-law to the Laird of Sanquhar, as appears from a charter, 29th November, 1509, by which Robert Lord Creghton of Sanquhair grants " to an honourable man and his brother-in-law, Thomas Kirkpatricke of Closeburne, Knight," the ward of the lands of Robertmure.

quarrells pertaineing till him, baith in peace and in warre, against all that lives and dyes may except and my alleadgeance to our soveraigne lord the king, and to my

and my service to SirRobert of Crichtoune, the Laird of Sanquhair, for the tyme of three years next eftir following the date of thir present letters. In witnes of the quhilk thing, I have set to my seall att Cowthally, the twentieth and fourth day of the moneth of October, the year of God 1462 years. Before thir witnesses, Thomas Somervill of the La tla, Sir John of Carnwath, Chaplane Thomas Tellfer, Patrick of Nisbett, and Mr John of Craufuird, nottar publict."

Mary Dowager of Scotland, and mother to the present king, a lady of eminent virtue and singular pietie, haveing founded the Trinitie Colledge Church and Hospitall of Edinburgh, and endued the same with competent revenues, sickned in the year 1466, and, eftir some short languishing, dyed the same year, and was buried, with all the solemnitie and ffunerall rites usuall in that tyme, in the church built by herself. It was in this year, upon the tenth of Jully, that John Lord Somervill, by being accessery and 1466.

upon the plott of surprizeing of the king, and carrying him to Edinburgh, eftirward upon the change of the court, and the fall of the Boydes, went neer to have foirfaulted both his life and fortune, if he had not been secured more by the king's particular favour then that act of parliament wherupon the Boydes soe much relyed. Drummond of Hathernedean, being full in this particular, I conceave it more propper in this place to give his relatione then mine oune, as to the wholl of that affair.

" The king," says this author, " as he increassed in years, increassed in strenth and abilitie for exercise, aither of recreatione or valour. By the regents he is given to a brother of the Lord Boydes, to be bred in all knightly prowesse, a man singular for his educatione abroad and demanour at home. The Kennedies war now aged, and became tyred to give such assiduous attendance att court as they war wont, and the tymes requyred; the Lord Boyd, by the weaknes of his co-partners, governed the state alone, as Sir Alexander, his brother, did the young king, to whose naturall inclinatione he did soe comply and conforme himself, that he had the wholl trust of his affaires; and the king had noe thought but his. Soe soon as the king

began to know himself, he turned impatient of being subject to the lawes of minoritie; and that he himself should be restrained by that authoritie which did deryve it's right from him, he began to loath the superintendency and government of others, and to affect ane unseasonable priviledge—to be at his oune disposall and the governing of himself: many things are done without the advyce and consent of the governours, and occasione is sought to be disburdened of ther authoritie. The Lord Boyd and his brother Sir Alexander, in a litle tyme increassing in greatnes, and haveing ane intentione to transferre the power of the state and glory of the court to ther familie, failled not to find opportunitie to free the king from the severity and rigour of the governour's schoolling; and, to frame him ane escape, whilst the king remained at Linlithgow, the Lord Hales, the Lord Somervill, Sir Alexander Ker of Cessefoord, and Sir Alexander Boyde, agree upon a match of hunting, and will have the king umpire of the game. Airly in the morning following, the noble men and gentlemen who wer upon the plott failled not in ther attendance. The king, being a myle off the toune, and holding the way towards Edinburgh, the Lord Kennedy, whose quarter it was then to

attend, and who had leasurely followed, suspecting this hunting to be a game of state, the king continueing his progresse, laying his hands upon the reines of his bridle, requested him to turn again to Linlithgow, for that he perceaved the tyme was not convenient for him to goe further; nether was it a convenient match in absence of his best deserveing followers. Sir Alexander Boyde, impatient that the king should have been thus stayed, eftir injurious words, stroke the reverend governor with a hunting staff upon the head, and took the king alongst with him to Edinburgh, where, at a frequent meeting of the states, the Kennedies urged to have the king continued under minoritie; the Boydes urged that he might take the governement in his oune persone. Eftir long contestatione, wisdom being overcome by boldnes, the authoritie of the better partie was forced to give place and yeeld to the will of the greater. Thus the factione of the Boydes prevailed."

1467. Notwithstanding of this advantage the Boydes and ther partie gott over the Kennedies and ther factione, in having the king's persone with them att Edinburgh, who, now takeing the governement upon himself, was wholly counselled by them, yet began they to be apprehensive of ther

oune danger in bringing the young king, by ther private contryveance, without the consent or approbatione of the other governours, to Edinburgh, for the assumeing the governement in his minoritie. Thairfore, the Lord Boyd being much pressed by John Lord Somervill, Adam Hepburne, Lord Hales, Robert Ker of Cessefoord, and others of the factione, but by the three former mostly, being neerer related in kindred by affinitie and consanguinitie, and being principall contryvers and actors with them in that state-hunting; thairfore, for ther oune securitie, and those that joyned with them, they craved an approbatione of ther innocency, and, to warrand them from this danger, that the kings majestie in parliament might declare publictly, as he did, that the Boydes and ther adherers were not the autheres nor projectores of that bussiness, but only the assisters of him and his followers, being not the formall, but instrumentall causes of his comeing to the helme of the state himself. That these wer soe far from being obnoxious to any blame or reproach for this deed, that they deserved immortall thankes and ane honourable gourdian in all tyme to come, haveing obeyed him in that which was most just, honest, and expedient for the weill of the kingdome. Upon

this declaratione, the Lord Boyde and these other lords that were partakers with him in that actione, requyred the declaratione might be registered amongst the acts of parliament, for ther vindicatione and future securitie, which they obtained. However, as to the Boydes, it had not that successe and effect they hoped for, but was to them as a reed of Egypt in ther greatest necessitie.

1468. In this year, 1468, upon the twentieth and fourth day of November, ther is ane inqueist held att Carnwath, before John Lord Somervill, wherin John Livingstoune is served heir to James Livingstoune, his father, to the third of the lands of Newbigging; and upon the third of January 1469. thereftir, 1469, John Lord Somervill grantes a seasing to a husband land, within the toune of Quathquan, in favours of Thomas Chorsewood, sone and heir to Thomas Chorsewood, nephew to umquhile Bishop of Brichen, Chanceller of Scotland. Ffrom the year 1466 to the year 1474, I find not the Lord Somervill concerned in the publict transactiones of the state, nor private intertainements or attendance of the court, untill 1474. Jully, 1474,[1] at which tyme the king being dis-

[1] The very curious story which follows must be taken on the authority of tradition. The embodying it with so many

posed to take his pleasure at the poutting in Calder and Carnwath Muires, he acquaintes the Lord Somervill with his resolutione, who, by accident, was then at court; his majestie being pleased withall to shew him he was resolved for some dayes to be his guest. Wherupon the Lord Somervill immediatly dispatches ane expresse to Cowthally (who knew nothing of the king's journey,) with a letter to his lady, Dame Marie Baillzie, wherin, according to his ordinary custome when any persones of qualitie wer to be with him, he used to wryte in the postscript of his letters, Speates and Raxes;[1] and in this letter he had redoubled the same words, because of the extraordinary occasione and worthynes of his guest. This letter being delyvered, and the messenger withall telling his lord was very pressing, that it might be speedily and securely put in her ladyship's hands; wherupon she hastily breakes it up, commanding the stewart to read the same, because she could read non herself.

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circumstances was undoubtedly the work of the author himself, who in this, as well as other passages, seems to be ignorant that an affectation of extreme minuteness and pre cisio gives no small cause for suspicion in such cases.

[1] *Spits and Ranges;* the latter being the appendage to the kitchen grate, on which the spits turn.

This gentleman being but lately entered to his service, and unacquainted with his lord's hand and custome of wrytting, when he comes to the postscript of the letter, he reades *Speares and Jacks*,[1] instead of *Speates and Raxes:* wherupon, my lady all amazed, without considering her husband's ordinary forme of wrytting, falles a weeping, supposeing her lord had fallen at variance with some about the court, the king beginning about this tyme to discountenance his ancient nobilitie, and they again to withdraw both ther affectiones and due alleadgeance from him. Eftir the reading of the letter, James Inglis of Eistscheill was presently sent for, and commandement given to him and the officers, that all the vassalles, with the able tennents that wer within the two barronies of Carnwath, Cambusnethen, and baillzierie of Carstaires, should be ready with ther horse and armes to wait upon William Cleilland of that ilk be eight in the morning the ensueing day, and that in order to ther going for Edinburgh. This command being punctually observed by the vassalles and the

[1] Spears and Jacks; the latter were doublets of leather, quilted with plates of iron, the common armour of the irregular cavalry of the period.

substantiall tennents[1] that wer in use, and obleidged to ryde, by ther holdings and tackes, upon such occasiones, they conveened to the number of two hundred, with the laird of Cleilland, and William Chancellor of Quathquan, with the Baillzie upon ther heads.[2] By eleven a clock they wer advanced in ther journey for Edinburgh to the syde of that hill that is somewhat bewest the Corsetthill. His majestie haveing breakfasted by nyne in the morning, had taken horse, and was come the lenth of that little watter a myle on this syde of the Corsetthill, bussie, even then, at his sport upon the rode, when the first of all the little company that was with him observed the advance of a troope of men with ther lances, within a myle of him, or thereby. Wherupon, all astonished, he calles hastily for the Lord Somervill, who, being at some distance, came upon the spurre. The king being of ane hastie nature, in great fury demanded what the matter meaned, and if he had a mynde to betray him and seize upon his persone the second tyme by ane

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[1] In the last leases of Jedwood forest that were let by the late Duke of Douglas, the tenants were bound to attend him with two well-armed horsemen at least for each farm.

[2] *i. e.* at their head.

other treacherous hunting; and withall swearing his head should pay for it if he himself escaped the hands of these traitors, who could be noe other but his vassalles and followers, brought togither off purpose for some ill designe. The Lord Somervill, without making any reply, immediatly castes himself from his horse to the ground, and falles upon his knees, protesting, with many solemn oaths, that he understood not what the matter meaned, nor what the company was, nor the cause of ther being in yonder place, thairfore he humblie begged of his majestie that he would allow him to goe see what they wer, friends or foes; and, for securitie, he had with him his eldest sone and heir William, Barrone of Carnwath; iff all was not weill, and his majestie safe from all hazard, he desyred that his sone's head may be strucken off upon the place. This the king acceptes, and commands him to ryde up and discover what they wer, and the intent of ther being ther; and, according as he found occasione, to returne or give a signe for his reteiring.

In the mean tyme, his majestie, with his traine, being about twentieth horse, placed themselves upon the hight of the muir, to marke the Lord Somervill's goeing, and the carriage of the horsemen they beheld, who now made ane

halt, when they first observed the king's company, not knowing what they wer; but seeing them draw togither they apprehended they wer noe freinds: thairfore they resolved to advance noe further, seeing a horseman comeing up to them with all the speed he could make, untill they knew for what intent he came. The Lord Somervill was yet at some distance, when he was presently knoune by severall of the company to be ther lord and master, wherupon the laird of Cleilland, and William Chancellor of Quathquan, galloped out to meet him. He was not a litle surprized when he saw them, and demanded the occasione that had brought them togither in that posture and number. To which they answeared, It was by his lordship's directione and his ladye's command: that they wer comeing to Edinburgh to waitt upon him, fearing he had fallen at variance and feed with some one or other about the court. He desyred to see the letter. They told him the baillzie had it. By this tyme they wer joyned to the company, where, calling for the letter, he made the same to be read, where ther was noe such directione nor orders given as they pretended. He enquired who read the letter to his lady: they answered his new stewart, who being present, was commanded to read it again,

which he did, and comeing to the postscript, reades Speares and Jacks, insteed of Speates and Raxes; and herein lay the mistake, that the Lord Somervill knew not whither to laugh or be angry at the fellow. But myndeing the fear he left the king in, and what apprehensiones and jealousies his majestie might intertaine upon his long communing with them, he commanded that they should depart every man to ther respective dwellings; and he himself, with the laird of Cleilland, and severall other gentlemen, returned to the king, who remained still upon the same place where he had parted from him, unto whom being come he relates the wholl story, whereat the king laughed heartily, calles for a sight of the letter, and reades it himself, swearing it was noe great mistake, for he might have been guiltie of that error himself. His majestie haveing given back the letter, it went from hand to hand amongst these few courtiers that was there, as they proceeded in ther journey, the letter itself containeing noe matter of any consequence but a naked complement the Lord Somervill had written to his lady. This is that story of the Speates and Raxes soe much discoursed of then, as it is to this day amongst persons of qualitie; for of late the Duke of Lauderdale, when he was

commissioner, at a full table of the greatest part of the nobilitie in Scotland, then dyneing with him, related the wholl story allmost in the same termes that I have set it doune.

The king being come to Cowthally, he had his intertainement great and his wellcome heartie, albeit my Lady Somervill was some what out of contenance, all the discourse being anent the Speares and Jackes, which the king could not forget, thinking it both a good sport and ane easy mistake, because of the neer spelling and sounding of the words; and, withall, his majestie was pleased highly to commend the Lady Somervill's love and respect to her husband, in being so active and dilligent to conveen soe quickly her husband's friends and followers, in caice ther had been any necessitie for them, telling my lady that he hoped she would use the same care and dilligence to conveen her lord's followers when he should call him and them to his service.

It being noysed abroad that the king was at Cowthally, all the gentry, for the most part, in the countrey, came to wait upon his majestie, which, with the curiosity of the countrey folke comeing to see the king, made a great confluence of people, soe that at least three or four hundered had dinner there every day, which gave the first occasione and publict report of the Lord Somer-

vill's great house keeping, and that they spent a cow every day, which might be true at this tyme, for they were not within three or four[1] a day, besydes many sheep, dureing the king's abode; and how long that was I find not, only it may be supposed that it could not be lesse then a week, seing his majestie came only furth for his recreatione and sport of halking, it being the only fitt seasone for it, and noe place in Scotland could affoord him better poutting then the muires of Carnwath, being then ane wildernesse of heather be what they are in this age, for a great part of them are now in corne lands.

The king haveing spent some dayes at halking, removes from Cowthally towards the palace of Linlethgow, haveing, before his goeing, thanked the Lady Somervill for his plentifull fare and kynde intertainement, telling her that her speates and raxes had been weill imployed since he came to her house; and, withall, his majestie desyred her eldest sone John, who was then ane handsome boy, might be sent to court, and he should take care of his breeding and preferrement. Soe fortunate was this youth, that even yet whill he was a young boy the king had a lykeing to him, for at this tyme he was noe

[1] There is a blank here in the MS.

more but fourteinth years of age ; but what his present majestie came short off in performeing of his promise, because of the many troubles he created to himself dureing his reigne, by mistrusting his nobilitie and imploying mean persones in the greatest affaires of state, his sone, King James the Fourth, made good abundantly by honouring and enriching this young gentleman, wherof we will have occasione to discourse eftirward.

The Lord Somervill attended his majestie to Linlethgow, and from thence to Stirling, where, takeing his leave, he was dismissed with soe large a testimonie of the king's kyndenes and favour, that, notwithstanding that he and Archibald Earle of Angus, nick-named Bell the Catt, was intimate enough and great friends, yet he could never be perswaded by him, nor any other of the nobilitie, to enter into any combinatione against the king, albeit he dislyked his majestie's wayes and dealling with his nobilitie as much as any of them did, holding this for a sure maxime, that both the persone and government of a prince are sacred, and are not to be medled withall ; noe miscarriage of the one, nor mismanadgement of the other, can warrant a rebellione : and such is all ryseing in armes, or combinationes of the sub-

jects, against ther prince, let them vernish never soe weill ther specious pretexts with religione, the safety of the state, ther oune previledges, or proppertie of ther estates. The king and the nobilitie being in thir termes, the Lord Somervill mynded his affaires at home.[1] His eldest sone

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[1] One of these affairs seemes to have been a lawsuit with some of his neighbours on the borders, for alleged injustice done upon an inquest touching the lands of Blacklaw, in Roxburghshire, not very far from Lintoun.—"Anno 1476, XX° Julii. In ye actione and cause, persewit be Johne Lord Symervale againis Andro Ormestoun of yat ilk; John Amyslie of Dolphinstoune; George Ruyirfurd; Thomas Ker of Fernyhirst; William Dowglass; William Kirktone; James Dowglass; William Pringill; William Dowglass, brodir to George of Dowglass of Bonegedworth; Thomas Madur; Arnald Gourlay; Henry Amisle; Alexander Ramsay; Johne Turnebull of Phirth; and William Dalglesch, anent ye wrangwiss determinatioun and deliverance of ye saidis persouns in ye seruyng of a brefe purchest be ye said William ye ye decess of vmqhile Thomas Symervale, his faidir, of ye landis of Blacklaw, lyand within ye baronery of Lyntoun, ye said William beand present, be his procuratouris and ye said Johne of Amysly, William of Kirktone, Johne Turnebull, Thomas Madur, and William Pringill, be yar procuratouris, and ye oyir persouns of ye inquest above writtin, beand lauchfully summond oftymes, callit, and nocht comperit, ye lordis auditouris of causs and complaintis ordanis yat ye said persouns of ye inquest yat are nocht comperit be summond, agane to comper before ye lordis ye ferd day of October nixt to cum, with continuatione of dais, to answer in ye said matter, efter ye forme of ye said summondis, vndir ye pain of rebellione, and letres to be writtin yar uppone, and at ye said Johne of Amyslye, William of Kerktone, John Turnebull,

William, Barrone of Carnwath, as he is designed in all the evidences that I have, being now twentieth and two or twentieth and three yeares of age, his father resolves he should marry; and, in order to this, he procures a very honourable match for him, Marjorie Montgomerie, eldest daughter to Hugh Lord Montgomerie, eftirward Earle of Eglintoune. The contract is dated at Glasgow, the first of Apryle, 1476; the conditiones being upon the Lord Somervill's part, that he should infeft his sone in the barronie of Carnwath and barronie of Lintoune, and the lands of Loudoune, within a moneth eftir the date of the contract: the tocher, four thousand merkes, payable at four termes eftir the solemnizeing of the marriage, which was performed at the house of Eglintoune the thretteinth day of June, 1476.

The Lord Somervill haveing setled his eldest sone in the year 1476, and gotten him confirmed in his estate by a charter under the great seall, was content to sitt still as ane spectator to behold the many tragedies that was acted dureing 1476.

Thomas Madir, and William Pringill, comper ye said day personaly, or be yar procuratouris at yar will to ansuer in ye said mater, and letres to be writin to warne yaim yarto."—*Records of Parliament, p.* 215.

this king's reigne, and the last worst of all; for, from the death of John Earle of Marr, the king's youngest brother, who first began the dance, and shortly thereftir dyed of a plurisie and too much letting of blood,[1] to the king's oune death,

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[1] Pitscottie, with his usual *naiveté*, draws a striking picture of the three royal brothers, and the difference of their manners and dispositions:—"The prince had two brether, the eldest called Alexander Duke of Albany and Earl of March, was very wise and manly, and loving nothing so well as able men and good horse, and made great cost and expences thereon; and for his singular wisdom and manhood he was esteemed in all countries above his brother the king's grace; for he was so hardy and manly with all the lords and barrons of Scotland, that he was holden so in estimation that they durst never rebell against the king so long as he rang in peace and rest with his brother the king's grace for his manhood. This Alexander was of mid stature, broad shouldered, and well proportioned in all his members, and especially in his face, *that is to say*, broad faced, red nosed, great eared, and of very awful countenance when he pleased to shew himself to his unfriends. But the king's grace, his brother, was far different from his qualities and complexions; for he was one that loved solitarieness and desert, and never to hear of wars, nor the fame thereof, but delighted more in musick and the policies of bigging, than he did in the governance of his realm. He was also wondrous covetous in conquessing of money, rather than the hearts of his barons; and he delighted more in singing and playing upon instruments, than he did in the defence of the borders or administration of justice, the which, at length, caused him to come to ruin, as ye shall hear hereafter following. But we return to the third brother, John Earl of Mar, who was young, fair, and lusty, and one of high stature; fair and pleasant faced; gentle in all his

ther was nothing but combinationes, plottings, and conspiracies amongst the turbulent and factious nobilitie, as would have incensed the myldest and meekest of princes, and disturbed the best of governments. All the severall circumstances and particular actings of these tymes, is soe faithfully and fully related by the excellent pen of that truly worthy gentleman William Drummond, Laird of Hathornedeane, who, in his Historie of the Fyve King Jameses, hes given the world a better account of these tymes, and the persones that was most active in them, then all that ever wrote before him. Soe that whosoe will be pleased to search out recordes, publict or privat, relateing to these tymes, will find that nothing of any moment hes escaped him that was fitt to committ to historie, or to acquaint the succeeding ages with. As for the Lord Somervill he mentiones him not from the tyme of the king's takeing upon him the governement in his oune persone, wherin the Lord Somervill had a

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behaviours and manners; and knew nothing but nobility, using much hawking and hunting, with other gentlemanny pastime and exercises, with knightly games, as entertaining of great horses and mares, wherof the offspring might flourish, so that he might be stoked in time of war."—P. 72.

hand at the tyme, when the king, upon the account of the pretended hunting, was brought from Linlithgow to Edinburgh castle, which makes me apt to beleive that the Lord Somervill hes been wholly averse from the actings of the nobilitie, both at Lauder-Bridge, and eftirward to the very end of this king's reigne: thairfore, what remaines of this lord's memorie relates to his private affaires, wherin I shall be alse breiff as
1478. possible.[1] In the year 1478, the Lord Somervill sends his eldest sone of his second marriage, named John, to court, being now of the age of eighteinth, where he was kyndely receaved be

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[1] About this time Lord Somerville was engaged in a lawsuit with Janet Lady Craigmiller, the widow of William Somerville, from whom, it seems, he had detained her third part of moveables, including goblets, silver spoons, and money, the property of her late husband.—"Anno 1478, XX° Martii. The lordes auditouris decretis and deliuiris yat Johne Lord Somervile sall content and pay to Janet Lady of Cragmillar, ye thrid part of ye IX^{xx} of demyis; ye thrid part of thre chaldir of atis; ye thrid part of xi siluer peces and v gobblatis; ye thrid part of sex siluer spwnys; ye thrid part of xl ky and oxin, and zong nolt pertening to ye said Janet, be ye decess of vmquhile William Somervile, hir late spouss, becauss ye said Johne Lord Somervile offtymes callit and nocht comperit failzeit in his pruf ye day assignit to him yarfor, and ordanis letres to be writtin to detrenze his landis and gudis herfor."—*Records*, ut supra, *p.* 249.

the Lord Evandell, then chancellor of Scotland,[1] and within few dayes by him presented to the king, who remembered him very weill since his being att Cowthally, and the desyre he then had of haveing this young gentleman at court. Thairfore he commands his stay: now, according to his former promise, he will shortly see to his preferrement. However, I find not that he attained to any dureing his two yeares stay at court, and it was happy for him that it was soe; for the bussines of Lauder Bridge[2] followed shortly thereftir, wherin this gentleman might have suffered as weill as others in the lyke conditione, which his prudent father foirseeing, recalles his sone from court in the year 1480; and, to setle him 1480.
at home, conferres upon him the toune of Quathquan the same year; unto which right of the father, I find this gentleman's eldest brother, William Barrone of Carnwath, consentes, who

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[1] Andrew Stuart, Lord Evandale, the natural son of Sir James Stuart, and grandson of the Duke of Albany, held the office of Chancellor of Scotland from 1460 to 1482.

[2] Where James Earl of Angus, and the other nobles, seized on the favourites of James III. and hanged them over the bridge at Lauder. John Ramsay of Balmain was spared on account of his youth, and perhaps from some remnant of respect to the king, to whose person he clung in the hour of danger.

was standing in the fie of that wholl barronie by vertue of his contract of marriage, these being the first lands that Sir John Somervill, eftirward Barrone of Cambusnethen, had from his father Lord John. He for ordinary, notwithstanding of his haveing of Cambusnethen, designed himself Sir John of Quathquan. That this gentle man might not want imployment, and to divert him from the thoughts of returneing to court, wherin there was nothing but jealousies, feares, and hazard of being ruined, upon the fyfteinth day of October, 1480, his father grants him ane factorie and right of baillzierie, to the fourth part of the barronie of Stenhouse, which was then in his possessione, as heretor therof. Fyve years eftir this he grantes a seasing to him of the lands of Breuchallburne, within the barronie of Cambusnethen, which he ratifies and renues upon the
1486. tenth of May the succeeding year, 1486. Thir lands of Breuchallburne, with Crindelldyke and Femmingtoune, did belong to Robert Logane of Restallrig, and wer given to his predecessores by Thomas Lord Somervill, when he marryed his daughter; but, as it appeares, these lands hes been reconqueist by this Lord John, and conferred upon his eldest sone of his second marriage, as all the rest of the barronie of Cambusnethan

was, upon his marrying Elizabeth Carmichaell, daughter to a younger brother of the Captain of Craufuird, and half sister to Archibald Earle of Angus, nicknamed Bell-the-Catt. The same year, in Jully 1486, his brother William, Barrone of Carnwath, Lord John's eldest sone, dyes, and leaves only two infants, John and Hugh, to his father's care and his brother John of Quathquan, the which how he performed will eftirward appear. This year was remarkeable in Scotland for the death of Queen Margaret, a good and vertuous lady, who dyed and was buryed att Cambuskenoull the twentieth and nynth of February, 1486; and in England, for that Hendrie Earle of Richmond came with some companies out of France, (off which that famous warrier Bernard Stewart, Lord Oubany,[1] brother to the Lord Darnley in Scotland, had the leading,) which, by the resort of his countreymen, turned into ane armie, and encountered Richard, then king, att Bazworth, where he was killed, and Hendrie proclaimed King of England. To which victorie it was uncertaine whither vertue or fortune did more contribute.

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[1] Aubigné.

1487. In the moneth of October, 1487, King James the Third, being at peace with all his neighbours, and particularly with England, a parliament was called, which was the last that John Lord Somervill sat in, being now of the age of seventy-sex.[1] In this parliament many acts were made against [2] ; justices wer appoynted to passe through the wholl kingdome, and see malefactors deservedly punished. Acts wer made that noe conventione of friends should be suffered for the accompanying and defence of criminall persones, but that every one attaintet should appear at most with sex procurators; that if found guilty they should not be reft from justice by strong hand. Such of the nobilitie who feared, and consequently hated, the king, finding how he had acquyred the love of his people by his pietie in the observance of religione, and his severitie in executing justice, were driven to new meditationes how to prevent ther oune supposed ruine, by suspecting that ere

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[1] His name occurs in the rolls of parliament 25th February, 1485, but not in that of 1487.

[2] The blank ought to be filled up with some allusion to the statute against slaughter, theft, reef, heirschip, and other violent trespasses.

long he would be avanged upon all whom he either knew wer accessory or suspected to have been upon the plott of Lauder Bridge, or his committing in the castle of Edinburgh.

But these things falling out the succeeding year, I returne to the privat affaires of this nobleman, who, upon the seventh day of May, 1487, grantes ane obleidgement to his sone John, wherin he binds himself and his heires under three thousand punds, Scots money, one thousand therof to be payed to the cathedrall of Glasgow, and another thousand punds to be payed to the colledge yle of Carnwath, and the last thousand punds to be payed to the said Sir John and his heires, in caice himself, his heires or successores, shall make any disturbance to him, or his successores, in the enjoying and possessing peaceably these lands he had formerly disponed to him and his heires within the barronie of Carnwath; by which it appeares Lord John was apprehensive that his former grants made in favours of his sone Sir John might be brought in questione by his grand children, William's sones, whose father was in the fie when most of these lands was disponed, and all of them lying within the barronie of Carnwath, and holding of the same: thairfore he endeavoures to secure them to this his belo-

ved sone by a penalty soe exorbitant and unusuall in that age, wherin money was soe scarce, that, unlesse I had found this obleidgement, which is now in my custody, I would hardly have believed it; and it is sad to remember what contraversies and deadly feed fell betwext the families of Cowthally and Cambusnethen, some threttieth years thereftir, principally upon the account of these lands, that the house of Cambusnethen held of the Lord Somervill within the barronie of Carnwath, which shall be declared as I proceed in my relatione; for from this lord's death to the death of Gilbert Lord Somervill, who was the last, I must wryte joyntly of the two houses for neer ane hundered and fourty years, in all which tyme ther was never a firme freindship betwext the families, notwithstanding of ther neer relatione and kindred. But, passing this, I will assert from clear evidences, that John Lord Somervill's second marriage with a daughter of Lamingtounes, went neer to have ruined the estate of Cowthally, by the large provisione he gave his only sone of this marriage, being neer the half, if not the better half of his wholl estate; for Sir John had not only the barronie of Cambusnethen intire, being a fourtie pund land of old extent, but also the fourth part of the barronie

of Stenhouse, being a ten pund land, and a ten merke land in the barronie of Brughtoune, within the sherrifdome of Peebles; and, as all this had not been enough for the provisione of the sone of this marriage, he gives him, contrary to all prudence and foirsight to the weill of his representative, a fourty pund land out of the barronie of Carnwath, it being in all but ane hundered and threttie three punds sex shilling eight pennies, Scots, of old extent. Soe that in effect he left to his eldest sone's children nothing but the rest of that barronie and the barronie of Lintoune in Roxburgh Shyre, with the half of the lands of Gillmertoune, which ther uncle Sir John of Quathquan, alias of Cambusnethen, being ther tutor, suffered them not long to enjoy, although eftirwards it was recovered from the lairds of Cambusnethen by the last Lord Hugh, great grand childe to William Barrone of Carnwath, and Master of Somervill, when it had been neer four score years in the possessione of the house of Cambusnethen. By all which, it appeares that Lord John hes been absolutely governed by his sone Sir John, as is evident from many instances that might be given, but more particularly from that obleidgement allready related.

1488. The year 1488 being come, wherin King James the Third had peace with all the world, yet could he not enjoy that happines at home, from his factious and rebellious nobles, I can terme them no better, let some of our partiall wrytters, particularly the author of the Douglasses Historie, never soe much vindicat ther proceedings from the spetious pretext of self-preservatione, for if they had not been conscious to ther oune guilt, ther was no necessity to fear punishment; but the truth is, they had soe accustomed themselves to frequent rebellione dureing this king's reigne, that they could not conceave themselves secure soe long as he breathed. And, indeed, that which gave ground and ryse to ther last act was a meer pretext to shadow their crime; ffor the king haveing founded a colledge for divine service, with the name of the Chappell Royall, the king endued this foundatione with constant rents and ane ample revenue. The priorie of Coldinghame being then vacant and fallen in the king's hands, he annexes the same to his chappell royall, and procured ane act of parliament that non of the leidges should attempt to doe contrary to this unione and annexatione. The priorie of this convent haveing been many years in the name of Hume, it was by the gentlemen of that name

surmized that they should be wronged in ther estates, by reasone of the tyes and other casualities pertaineing to this benefice, if a prior of any other sirname wer promoted to this place. Haveing petitioned the king that ther might be noe alteratione in the custome of electione, nor the prior removed from ther name, nor the revenues otherwayes bestowed then of old, the king continueing in his resolutione of annexing it to his chappell, the name of Hume, a proud factione, ffitt for the most dangerous interprizes, they resolve to overturne the king's intentione, and divert his purpose. In order to this, they joyne themselves with the Lord Hales, and others of the sirname of Hume; they enter in combinatione with the discontented lords, who, knowing these two sirnames of the Humes and Hepburnes to be numerous and powerfull, they lay hold upon this opportunitie from ther particular to make the cause generall. From this small beginning did a great mischeiff aryse, which ended not untill this unfortunat king was killed the eleventh day of June, 1488, being murdered in cold blood, in a mylne, eftir he had escaped from the battell, by the Lord Gray, Robert Sterling of Keirie, and Androw Borthwick, a preist. The wholl of this narratione, and all the circumstances, is re-

lated by Drummond.[1] That which I take notice of is, that Sir John of Quathquan, being upon

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[1] The author was probably a stranger to the more picturesque account given by Pitscottie.—"The king being in order, passed forward in arrayed battle. The word came to him that his enemies were in sight. Then the king cried for his horse, and lap upon the horse that the Lord David had given, and rode to see and know the manner of their coming. The king beheld them in three battles, to the number of six thousand men in every battle; the Humes and the Hepburns having the vanguard, with the Merse and Teviotdale, with the East Lothian: and next them in battle Liddesdale and Anandale, and many of Galloway: and then came all the whole lords that conspired against the king, and brought with them in company the prince, to be their backler and safeguard, and hasted fast forward with great courage, because they knew the king's qualities, that he was never hardy nor yet constant in battle. Then the king seeing his enemies coming forward with his own banner displayed, and his son against him, he remembered the words that the witch spoke to him before, 'That he should be destroyed and put down by the nearest of his kin,' which he saw apparently for to come to pass at that time; and, by the words of the foresaid witch, illusion and enticement of the devil, he took a vain suspicion in his mind that he hastily took purpose to flee.

"In this meantime, the lords seeing the king tyne courage, desired him to pass by the host till they had foughten the battle; but by this the Humes and the Hepburns came so fast upon the king's vanguard, and on the other side they shot them so fast with arrows, that they hurt and slew many of the horses, and put them a-back: But at the last, the thieves of Anandale came in shouting and crying, and feared the king so (having no and thought to win the town of Stirling; but he spurred his horse practice in war,) that he took purpose to flee, and ran his way, at the flight-speed. Coming through the town of Bannockburn,

the king's syde at this battell, as sent by his father to serve his majestie, was here taken pri-

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a woman seeing a man coming fast upon his horse, she standing in a slonk bringing home water, she ran fast away, and left the pig behind her. So the king's horse, seeing this, lap over the burn, and slonk of free will, but the king was evil sitting, and fell off his horse at the mill-door of Bannockburn, and was so bruised with his fall and weight of his harness, that he fell in a swoon; and the miller and his wife haled him out of it into the mill, not knowing what he was, but cast him into a nuik and covered him with a cloth. While, at the last, the king's host knowing that the king was gone and fled, debated themselves manfully; and knowing that they were borderers and thieves that dealt with them, therefore they had the more courage for to defend themselves. At last they returned and fled in good order till they got the Torwood, and there debated a long time while night came, and then many of the said army passed to Stirling, and, other enemies following them, many were taken and hurt on both sides, but few slain.

" But at last, when all the host was passing by, and the enemies returned again, the king overcame lying in the mill, and cried if there was any priest to make his confession. The miller and his wife hearing thir words, required of him what man he was, and what his name was. He happened out unluckily, and said, ' I was your king this day at morn.' Then the miller's wife clapt her hands, and ran forth, and cried for a priest to the king. In the meantime a priest was coming by (some said it was the Lord Gray's servant,) and he answered, ' Here am I, a priest; where is the king?' Then the miller's wife took the priest by the hand, and led him into the mill, where the king lay. As soon as the priest saw the king, he knew him incontinently, and kneeled down upon his knee, and speired at the king's grace, ' If he might live if he had good leitching.' Who answered him and said, ' He trowed he might, but desired a priest to take his advice and give him his sacrament.' The

soner, and obleidged to the Earle of Angus for his safety and liberty, whose half sister he was in suite of the succeeding year, 1489, and therby procured unto himself great courtship and favour during the wholl reign of King James the Fourth.

The Lord Somervill, eftir the returne of his sone from the battell of Saughburne, wherat the king's forces was defeat, as is allreaddy related, did not at all concerne himself in publict or privat affaires, being very aged. He committed the mannadgement of all his oune and his grand children's bussines to the care of this his sone and ther uncle Neither doe I find any evidences or wryttes relateing to this noble man but two; the first being a ratificatione of the rights made to the lands and barronie of Cam-

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priest answered and said, 'That I shall do hastily;' and pulled out a whinger, and gave him four or five strokes even into the heart, and then got him on his back and went away. But no man wist what he did with him, or where he yearded him; for no wit was gotten of him or of his dead, nor yet who slew him, a month after. Notwithstanding the battles were dissevered, in manner as I have shewn, the king's battle fled to Stirling, and the other passed that night to their tents, and on the morn to Lithgow. I cannot hear of no man of reputation that was slain at that time; but there were many earls, lords, and barons that were taken and ransomed. This unhappy battle was stricken the month of June, the eighteenth day, one thousand four hundred and eighty-eight years."—P. 89.

busnethen, upon his sone's marrying with the house of Angus, which is dated att Cowthally the last of October, 1489. The second is a sub- 1489.
missione betwext him and Sir William Kennoulles, Lord of Saint Johns, to Robert Deill of that ilk, and Sir Stephan Lockhart of Cleghorne, knight, wherin he submittes all contraversies betwext him and the said Sir William, anent the right of the Lord Saint John's tennents priviledge of grasseing ther goods within the pasturages of the nether toune of Cambusnethen, to the tryall of ane inqueist before these gentlemen appoynted and sitting as baillzies for that day. This submissione, or act of court, is dated att Cambusnethen the nyneteinth day of Apryle, the year of God 1489, and hes affixt to it the sealles of the Lockharts and Deilles.[1] This con-

[1] The Dalzells, pronounced Diyell. Lord Somerville seems to have been engaged in more than one controversy with this Sir William Dalzell; at least we find that he came off loser in one respecting the rents of the lands of Kittemuir.—" Anno 1478, XI° Martii. The lordis auditouris decretis, that William of Dalzell has done na wrang in ye taking of ye malis of ye landis of Kittemur, beand in ward sett and assignit to him be Johne Lord Somervile, and yat ye said John Somervile sall restore and deliuir agane to Gawane Hammiltoun and yar bredir ye twa horss quilk he gert tak for ye said malis fra yaim, and yat he grantit to do in presens of ye lordis without preiu-

traversie being setled, the Lord Somervill returnes to Cowthally, from which I find not that he made any progresse untill the day of his death, which happened the ensueing year, in November, 1491, in which moneth he dyed, and was honourably buryed with great splendour and pompe by his sone Sir John, and his two sones in law, Sir John Gerdoune of Aplegirth, and Sir Stephan Lockhart of Cleghorne, in the collegiat yle of Carnwath, hard by his father Lord William. He had issue by his two ladyes four children, two of each marriage; first, William Barrone of Carnwath, and Hellen, named eftir her mother, marryed upon Sir John Gerdoune of Aplegirth; and of the second marriage, Sir John of Quathquan, alias of Camnethen, and Marie, marryed to Sir Stephan Lockhart of Cleghorne. He was a noble man, brave and active both in publict and privat; mannadgeing of his wholl affaires with much discratione in ane age wherin ther happened soe many revolutiones and dounefallings of many of the most eminent families in Scotland, dureing the reigne of the four King Jameses; the reigne of the first three he had

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dice of ony clame yat he has to ony uyir persons anent ye said malis."—*Records of Parliament*, p. 238.

compleatly seen, and three years of the fourth.[1] In what conditione he left his estate will appear in the memorie of his grande childe Lord John, that succeeded to him.

Off William, the third of that Name, Barrone of Carnwath, Master of Somervill, the tenth of Lintoune, the seventh of Carnwath, the fyfteinth from Sir Gualter de Somervill.

Before that wee wryte any thing of the sone Lord John that succeeded to his father William, or rather to his grandfather Lord John, that outlived his sone, wee must give, in short, the memorie of the father William Barrone of Carnwath, as he is designed in all the evidences that I have of him. He was eldest sone and appeare-and heir to John Lord Somervill, by Hellen Hepburne, his first lady, daughter to Adam Hepburne, the first Lord Hales.[2] This young noble-

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[1] We may add to the sketch of John Lord Somerville, that he had either a natural disposition for litigation, or at least was frequently involved in it, since we have been enabled, in some degree, to illustrate the events of his life from the frequent occurrence of his law-suits before the king and council.

[2] The paramour, as is stated by our historians, of Mary of

man, at the age of twentieth and sex, or therby, was marryed to Marjorie Montgomerie, eldest daughter to Hugh Lord Montgomerie, upon the thretteinth day of June, 1476, with whom he had two sones, John and Hugh: both of them succeeded to him and ther grandfather Lord John, and came to be Lord Somervills.[1] Upon his marriage, he was infeft by his father in the barronies of Carnwath and Lintoune, and in the half of the lands of Gillmertoune, by ane precept direct out of the chancellarie, upon the fyfth day of June, 1476. He was confirmed in all these lands by King James the Third, and that

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Gueldres, though Lord Hailes has laboured hard to wipe away the scandal. Mr Pinkerton quotes a fatal passage from Wyrcestre, wherein the historian charges her with an amour with Somerset, and adds, that being incensed at his vanity in exposing her frailty to Louis XI. (who, by the way, was a great investigator of scandalous mysteries,) the queen employed her new lover, the Lord of Hailes, to assassinate his indiscreet predecessor in her affections. The old play-wright's reflection naturally occurs:

> He that attempts a prince's lawless love
> Must have broad hands, close heart, with Argus eyes,
> And back of Hercules, or else he dies.—*Marston.*

[1] He was afterwards contracted to Janet Douglas, a daughter of William Douglas of Drumlanrig. As her portion of 1000 merks became afterwards subject of a law-suit before the king's council, it seems doubtful whether the marriage ever took place. See a subsequent note.

by a charter under the great seall, dated att Edinburgh, the second day of May, 1477; ther being witnesses to this charter, John Layng Bishope of Glasgow; William Bishope of Orknay; Andrew Stewart, Lord Evandell, Great Chancellor of Scotland; the Earles of Argyle, Craufuird, Carlyle, and James the First Lord Hamilton, with severall others. Here I cannot but admire that this young nobleman, being infeft and confirmed by the king in the lands of Gillmertoune, in the before-mentioned charter, what should have moved him much about the same tyme to take these lands of Gillmertoune, holden of Malcolme Grahame, Earle of Monteith, as superior; for I find two seasings, dated the last of October, 1477, taken by William Barrone of Carnwath, upon a charter granted be the same Malcolme Grahame, dated the twentieth and nynth of October, 1477, for certanely neither he himself, nor his father Lord John, who outlived him ffyve years, could be ignorant what hazard they run, by disclameing ther superior the king, of whom, as Earles of Strathearne, they held these lands of Gillmertoune; and the truth is, William's heires was losers for it eftirward, it being upon this very ground and mistake, that

ther uncle, tutor, and curator, Sir John of Quathquan, Barrone of Cambusnethen, obtained the lands of Gillmertoune, Drum, and Gutters, being then but pertenents of Gillmertoune, by a gift of recognitione from King James the Fourth, which shall be spocken to when I come to wryte of John Lord Somervill, the eldest sone and heir of this William Barrone of Carnwath; and as this was a grosse mistake, and exceedingly prejudiciall to his successores, soe did he committ a far greater error, that being himself in the fie of all the barronie of Carnwath, that he should have consented to his ffather's deed in putting his brother John, of a second marriage, in soe much or any part of that barronie of Carnwath, seing his father was but a naked liferenter, and could not dispose of any part of the proppertie to his prejudice, especially considering that his brother had the barronie of Cambusnethen, and severall other lands for his patrimonie. Let the motives be what they will wherupon this young nobleman consented to this deed of his father's in behalf of his brother, I find noe shadow of reasone for it, but that it either testified much simplicitie, or, in the favourable constructione, too good a nature in him to be so far to his ounc and his

heires prejudice outwitted in this by his brother Sir John of Quathquan.[1] However, I find this obleidgement with the charter therupon, dated att Cambusnethen the twentieth of March, 1480, some sex years before he dyed. Severall other wryttes relateing to this young nobleman, William, Master of Somervill, I have by me, wherin his father Lord John and his brother Sir John of Quathquan, are most concerned; thairfore I will remitt them to the remaining part of the father's memorie, and his brother's life, and only make knoune that this William Barrone of Carnwath, or Master of Somervill, dyed in the tower of Carnwath toune, where he dwelt, much about

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[1] There is great room to think that William, apparent heir of John Lord Somerville, did not voluntarily consent to the alienation of so large a portion of the family estate in favour of his brother of the second marriage; for it appears, from the following passage in the Scottish records, that he had commenced an action against his father, probably on account of this very settlement, although the action was dropped from some cause which we may now look for in vain.—"Before the lordis auditouris comperit Johne Somervale, procuratour for Johne Lord Somervale, and protestit yat William Somervale, his sone and apperand are gart summond him at his instance, and wald nocht compere to folow him, he beand oft tymes callit yar to, that yarfore ye said William be nocht hard in jugement in yat mater, quhill he haue pait ye costis expenss of ye said lord, and new summondis be maid on him."—P. 341.

the threttieth and fyfth year of his age, in *anno* 1488, and lyes buryed in the yle of the collegiat church of Carnwath. His vertuous lady, Marjorie Montgomerie, outlived him but a few years, and lyes buryed in the same yle.

Off John Lord Somervill, the fyft of that Name, the eleventh Barrone of Lintoune, the eighth of Carnwath, the fourth Lord Somervill, and the sexteinth from Sir Gualter de Somervill, Lord of Whichenour in England.

1486. John Lord Somervill, and his brother Hugh,
1491. wer left infants, both by ther father William Barrone of Carnwath, and ther grandfather Lord John, the eldest not being fully four, and Hugh scarce two years of age, to the care and tutorie of ther uncle Sir John of Quathquan, the first Barrone of Cambusnethen of the name of Somervill, albeit the same did belong to the house of Cowthally, since the marriage of John Somervill with Margaret Edmondstone, daughter to Sir John Edmondstone, in the year 1378, neer ane hundered years before it was a distinct familie by itself, wherof now I will have frequent occasione to wryte as I proceed in relateing the

lyves of the remaining Lord Somervills unto the year 1620.

Sir John Somervill of Quathquan being sole tutor to his two nephewes, had both ther personall and reall estate at his disposeing. In what conditione the same was left at the grandfather's death it is hard to know, but in all probabilitie it could not be good, especially considering the large portione Sir John had gotten himself, and the joynter of his mother, Dame Mary Baillzie, relict of John Lord Somervill; but whatever may be in this, as to the bad conditione of the estate, and the minoritie of the children, that was not the only misfortune of the familie of Cowthally, for the representatione[1] therof, Lord John, proved a simpletoune, altogither unfitt to mannadge or direct his own privat affaires; soe that this his tutor, Sir John of Quathquan, had a fair prospect for the Lordship of Somervill, if Hugh, Lord John's only brother, had been removed. However, as Sir John did some ill office to the house of Cowthally, soe did he a speciall good one; for the barronie of Carnwath

[1] Representative.

holding black waird[1] before this, he, by his courtship[2] and favour with King James the Fourth, the great interest he had there, by his brother-in-law Archibald Earle of Angus, being chancellor, he gott the holding changed from waird to blenche, the reddendo being

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with the additione of ane new fair and weekly market upon the Sabbath, which continued untill the Reformatione.

1491. But that I may come more particularly to Sir John's actings in his pupills affaires, the first paper I find is ane inqueist holden by Sir John, in Lord John's name, att Carnwath, the sexteinth day of December, 1491, which was a moneth, or therby, eftir his grandfather's death, Lord John: this service related to some lands in Newbigging.[3]

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[1] The military tenures in Scotland were called Ward-holdings, from the care of the estate devolving upon the superior during the minority of the vassal. When a vassal held a fee ward of a subject, who again held it by the same tenure of the crown, it was called a Black-ward-holding, and was the most rigorous in the Scottish law, for the subvassal had not only to fight the battles of both superiors, but he was also liable to be excluded from the estate by the higher superior, during the minority of the subject superior.

[2] *i. e.* interest at court.

[3] There is notice of a subsequent family transaction in the

The second evidence is, that one Hendrie Douglas, clameing right to certaine lands in Quathquan, had procured a breiff out of the chancellary for infefting himself in these lands. Wherupon Sir John of Quathquan, as tutor to the Lord Somervill, gives in a complaint to the king and counsell, supplicating in his pupill's behalf,

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records of the council, namely, an action for recovery of 1000 merks, the marriage portion of Janet, daughter of Douglas of Drumlanrig, betrothed or married to the deceased William, Master of Somerville.—" 1491, xiiii Februarii. The actioun and cause persewit be Marioun Laidy Somervale, Schir William Bailze of Lammyntown, Johne Somervale, and Thomas Someruale, executouris and assignais of vmquhile Johne Lord Someruale, aganis James Dowglas, sone and are of vmquhile William Dowglas of Drumlanark, Robert Lord Crechtoun of Sanchquhare, Schir Robert Crechtoun, son and are to vmquhile Robert Crechtoun of Kynnovle, Edward Crechtoun of Kirpatrick, and Robert Maitland of Qwenybery, for ye wrangwis withhaldin fra yame ye soume of ane thowsand markis for contract of mariage completit betuix William Somervale, ye sone and air of ye said vmquhile Johne, and Janet dochtir to ye said William Dowglas, is be ye lordis of consale and auditouris of causs contenewit to ye xviii day of Junii nixt to cum, with continuatioun of dais in ye sammyn forme and effect as it now is, but preiudice of partii, and all ye partiis ar summond *apud acta*, and becaus ye saidis Robert Lord Crechtoun, Schir Robert Crechtoun, Edward Crechtoun, and Robert Maitland, allegiit that James of Dowglas suld warrand yaim, the lordis yarfore assignis to yaim ye said day with continuatioun of dais to call yat forsaid warrend."—*Records of the Parliament of Scotland.*

as being superior to these lands. Wherupon the king grantes a warrand, directed to John Nisbett of Dallzell, John Somervill, Thomas Somervill, William Somervill, and George of Cottes, as shirreffs in that part, to charge the said Hendrie Douglas that he instantly requyre the tutor of the said Lord Somervill, to give him state and seasing of that portione of Quathquan that he claimed in heretage, the which seasing he should receave under the highest pain and perrill. This order, or letters, is given under the signet, the fyfth day of November, the seventh year of King James the Fourth's reigne, which was in *anno* 1495. 1495. Thir letters wer execute by the shirrefs unto whom they wer directed, upon the twen- 1496. tieth day of June, 1496. Four years eftir this, 1500. upon the eight day of Apryle, 1500, at Edinburgh, he caused serve John Lord Somervill, heir to his father William Barrone of Carnwath, to the lands of Gillmertoune, with the pertinents, Patrick Hepburne, Lord Hales, the first Earle of Bothwell of that name, being sherreff principall of Mid-Louthan, and Mr James Henderson, procurator for the Lord Somervill. The instrument extracted upon the service is dated the twentieth and eight day of Apryle the same year. This service, with that of the father's, was

the ground that these lands of Gillmertoun recognost; for, in *anno* 1502, the king persewes criminally all the gentlemen that was upon the inqueist, for haveing wrongously served Lord John heir to his father William, who had, by his service and infeftment in these lands, disclaimed his superior the king, of whom, as Earle of Strathearne, he held the same, and had taken them holden of the Earle of Monteith, the pretended superior.[1] This was a sore beginning for Sir John of Quathquan to encroach upon his pupill's estate; but that which contribut most for carrying of thir lands from Lord John to himself and his posteritie, was a decreit the king obtained against the wholl lands of Gillmertoune for four score merkes yearly, as due to him and his predecessores for sextieth years preceeding, out of these lands. This actione was persewed against John Lord Somervill, James Ramsay, and Patrick Herring, ther predecessores and authores upward to the year 1440, and decreited against all of them 1502.

[1] The vassal, who, whether from ignorance, or wilfully, disowned his lawful superior, by taking out rights from another, committed the feudal delinquency, termed in the Scottish law Disclamation, the penalty of which was the forfeiture of the fee.—Regiam Majestatem. *Lib.* 2. *cap.* 63. § 4, 6, 9.

conforme to ther severall possessiones. This decreit is dated att Edinburgh, the eight day of November, 1503, written in parchement, and hes the great seall appended therto. Three years preceeding this, Sir John, as tutor, had persewed Simeon Prestoune of that ilk, son to the Laird of Craigmiller, and severall others for ther wrongous labouring and possessing the lands of Gillmertoune and Gutters from the year 1500, and some years preceeding. The right Craigmiller pretended was be ane assignatione from his father William, with whom John Lord Somervill and William his sone, the father and grandfather of this present lord, had transacted and made some bargane anent these lands of Gillmertoune and Gutters, but what it was I find not, further then by the decreit obtained against them, it would appear to have been either a leish for some years, or a forme of wodset[1] then in

[1] The wad-sett, or empledging of lands in security of money advanced, was originally always followed by possession on part of the creditor, who held the lands and drew the rents, and acted in every respect as proprietor, until the money advanced was repaid. This was a mode of evading the laws against exaction of interest. Afterwards *improper* wadsets were introduced, so called as being less strictly according to legal principle. In this latter class, the creditor, or wadsetter, was obliged to account for the rents if he received any thing beyond the legal interest.

use, redeemable by ther possessione ; but whatever might have been the right they brooked by, they were all outed of ther possessione, and ordained to pay a considerable soume of money by the lords of counsell ther decreit, the last of March, 1502.

What Sir John of Quathquan did in this affair, or any other relateing to the lands of Louthian, accressed to his oune particular benefite ; for, in the year 1498, upon the eight day of September, he procures from King James the Fourth, not only a gift of the nonentry[1] of the lands of Gillmertoune, containeing a right to all the bygone mailles and duties, and these to come dureing the nonentry of the righteous heires of the Lord Somervill, that was last infeft by the king in these lands, but also ane right to the recognitione,[2] wherby he claimed the proppertie,

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[1] By the feudal law, the fief reverted to the superior, or overlord, in case the heir of the vassal did not *enter* with his lord, *i. e.* procure the renewal of the investiture in his own person. The family of Somerville were subjected to this casualty or penalty of non-entry in consequence of having taken out an investiture from the Earls of Menteith, instead of the crown, their legal superior.

[2] Another penalty of the feudal law, which, like all others, turned on the main principle, that the fief, being the free *gift* of the superior, reverted to him on any deed which publicly

in caice it should be found they had declyned ther superior. This was the thing he designed; for he understood weill enough what his elder brother had done with the Earle of Menteith in order to these lands; and he himself had caused his pupill Lord John enter heir to his father upon that very service, by which, now he was to carry away the proppertie of these lands to himself and his heires for ever, by the right of recognitione and the king's gift, if a wonderfull providence (by the chancellor's care, then George Gourdoune, Earle of Huntley) had not prevented it, who, observeing the fraud, insert four or fyve words in favour of the Lord Somervill and his successores, which eftirward did cause these lands returne to the righteous heir, when they had been possessed by vertue of this gift neer four score years by the house of Cambusnethen. And seing this grant was that whereby the lairds of Cambusnethen possessed the lands of Gillmertoune, and that lykewayes wherby the Lord Somervill recovered them again, I think it not

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testified the desertion or ingratitude of the vassal. Recognition took place in the stricter feudal times upon the non-entry of the heir, but was afterwards limited to those cases when the vassal presumed to dispose of the fief to a stranger without consent of the liege lord.

impertinent to insert the gift, as it was granted by King James the Fourth, in this lords memorie.

" James, by the grace of God, King of Scots: Till all and sundry our officers, leidges, and subjects whom it effeires, till whose knowledge thir our letters shall come, greeting. Witt ye us that fforsuameikleas wee are sickerly informed that the half of the lands of Gillmertoune with the pertinents, to quhilke our cousine John Lord Somervill and alleadged to be holden of the Earle of March,[1] are holden of us as Earle of Stratherne, be our said cousine and his predecessores immediately, and hes been of a long tyme in our predecessores hands and ours as superiors therof, through the nonentry of the righteous heires therto be us, and therfore for the good and thankfull service done to us be our lovit cousine, John Somervill of Cambusnethen, Knight, we have given and assigned, and be thir our letters, gives and assignes to him, all mailles, profites, and duties of all and haill the half of the saids lands of Gillmertoune, with the pertinents for all the tyme that they have been in our pre-

[1] Menteith.

decessores hands and ours, and shall happen to be by reasone foresaid, and ay and whill the righteous heir or heires therof be lawfully entered therto be us, fallen in o^r^ hands by reasone above written.[1] With power to the said John to raise and uplift the mailles and profites of the saids lands of all tymes bygaine, or to occupy the samen, or sett them to tennents to his maist utilitie and profite, and as he shall think maist expedient in tyme to come, whill the entrie of the righteous heires, as said is, freely, quyetly, weill and in peace, but any revocatione or againe calling whatsomever; and attour, giff it beis found that the said umquhile John Lord Somervill, or any others his predecessores or his successores, heires of the saids lands, hes taken pretended therto of any other pretended over lord, but of us and our predecessores, and that they have forfaulted the saids lands therthrough, Wee give and grant the samen likewayes to the said John and his heires, being in our hands by reasone of the said for-

[1] Upon this clause lay the claim of the lords Somerville, afterwards successfully enforced, since the grant to Sir John of Quathquan, or Cambusnethan, was qualified in its endurance until the heir of the family should take investitures from the crown.

faulture, and shall make him and his heires to have heretable infeftment therof be charters and seasings, in due forme as effeires, alse freely as they wer holden of the Earle of Stratherne, or any others our predecessores before the said forfaulture; wherfore wee charge straitly and commands you all and sundry our officers, leidges, and subjects forsaid, that non of you take on hand to make any molestatione, trouble, or impediment to the said John Somervill, in the peaceable raiseing and uplifting of all the mailles and profites of the saids lands of all tymes bygaine, or in the peaceable brookeing and raiseing therof in time to come, ay and whill the entrie of the righteous heir or heires therto as said is, or to doe or attempt any thing contrair this our gift in any wayes under all the highest pain and charge that eftir may follow. Given under our privie seall att Stirling, the eight day of September, the year of God 1498, and of his majesties reigne the tenth year."

It was by this unhappie gift that Sir John of Quathquan possessed himself of the lands of Mid-Louthian to the prejudice of his pupill; and his successores for two generationes had no better title (save possessione) then what this gift gave them, which was soe easily reduceable in

itself, if the least notice had been taken therto; and its strange to thinke that the first Lord Hugh, being soe intelligent and active in all his concernes, when he came to the possessione of his brother's estate, and entered himself heir both to that and to his title, that nether he dureing his life, noe, nor yet his son, Lord James, should have challenged the house of Cambusnethen, who peaceably, without ever being quarrelled, enjoyed the lands of Drum, Gillmertoune, and the Gutters for three score and twelve years, untill a wonderfull providence brought it to light, which eftirward shall be declared, when I come to wryte the memorie of James Lord Somervill, by which it will appear that the only reasone why the Lairds of Cambusnethen's right was not quarrelled hes been, by keeping up the gift from the knowledge of the house of Cowthally; for, soe soon as it came to be discovered, the iniquitie and wrong of ther possessione of these lands was soon found out, and accordingly decreited in favours of the Lord Somervill. However, Sir John haveing procured the gift in *anno* 1498, thereftir in *anno* 1499, upon the tenth day of May, he holds court att Gillmertoune, as baillzie to the Earle of Menteith, pretended superior of that barronie. What might

have been his reasone in takeing such a warrand or right from the Earle of Menteith I cannot understand, unles it hes been to fortifie or second the king's gift, in caice it should be challenged by the Earles of Menteith, whose predecessores clamed right as superiors of the barronie of Gillmertoune, by virtue of Patrick Grahame, a younger brother of the Lord Grahames, ther predecessor, who marryed the only daughter of David Stewart, Earle of Stratherne, uncle to King James the First. But this doeing of Sir John of Quathquans being a mistery, I cannot understand, thairfore I leave it, and only informe that at this court, amongst others that possessed the lands of Gillmertoune, he conveined John of Prestoune, soe designed. What this gentleman was I cannot come to the knowledge of; but it appeares he hes been a brother of the house of Craigmiller; for eftirward William and Simeon Prestoune wer persewed by this Sir John of Quathquan, for ther wrongous possessing the lands of Gillmertoune, and decreit obtained against them, as is allready related.

The time of Sir John's tutory and curatry (for he was both) expyreing in the year 1506, he was not wanting to secure himself and his successores from all hazard they might incurre, 1506.

for his intromissione with the pupills estate or acting in his affaires, and that by ane ample discharge and declaratione approveing all that ever he had done dureing the long tyme of his tutorie and curatorie. This declaratione is drawen by way of instrument, before Thomas Greenly and George Wood, commissars of Edinburgh, and James Hendersone of Fordell, then Justice Clerk. It is subscryved by Lord John himself, with his hand at the pen, by two nottars, with two sealles appended therto, the one bearing the Lord Somervill's armes, and the other the commissar's seall of Edinburgh. The instrument is written in parchement, and dated att Edinburgh, the
1510. eleventh day of August, 1510. This is the first and the last tyme that ever I find this lord come to Edinburgh, or any place else in publict, from his oune house of Cowthally; but this was a singular caice which his good tutor could not dispense with, being one of the neerest
in his tyme. Eftir the year 1510, I find not that Sir John of Quathquan, for I may still designe him soe, albeit he was Laird of Cambusnethen, at this tyme concerned himself in the Lord Somervill's affaires; for his only brother, Hugh, being now past his minoritie, and in man's estate a pregnant witt that

the weakness and simplicitie of his brother, Lord John, had made him a prey to all that acted in his affaires; and that in many things he had been abused by his tuter and curator. Thairfore he takes upon him to act in all his brother's businesses, knowing that himself was to succeed to that estate att or before his brother's death, seeing that he was altogither uncapable to governe the same, albeit for the tyme he was borne up by the moyen and interest that Sir John of Quathquan had att court, and the great influence he had upon other freinds and relationes of the house of Cowthally, he himself being the presumptive heir of that familie, the two brothers being removed. And now, ther being litle more to be said as to this lord's memorie, albeit he lived untill the year 1524, but what either Sir John of Quathquan, his sone Red-bag, or his oune brother Hugh was concerned in, I shall referre what is further to be spocken of him to ther memories; and seing Sir John of Quathquan stands in my way, I shall begin first with him, as being the greatest cadit that ever came of the house of Cowthally.

Off Sir John of Quathquan, the first Barrone of Cambusnethen of the Name of Somervill, since it became a distinct Familie from Cowthally.

Sir John Somervill of Quathquan, Barrone of Cambusnethen, and proprietar of many lands besyde, was borne att Cambusnethen in *anno* 1457, the only sone of his father's second marriage, by a daughter of the Laird of Lamingtounes. He was only four years younger then his eldest brother William, of the first marriage; and with him was brought up att schoolles and such manly exercises as was in use at that tyme. Ther was never two brothers of soe contrary humors and inclinationes as these two wer; for, as William was simple and of ane easy nature to be persuaded to any thing, albeit to his disadvantage, which is evident from what we have of him, soe his brother John was of a quyte contrary humour, being warry and circumspect in all his actiones, which he manadged still to his best advantage. In his very youth he promised much, being a darring spirit, and still desyreous of imployments, which made his father, Lord John, love him from his very infancy; and soe

soon as he came to be a man, he intrusted him in all his privat affaires; made him baillzie of his barronie at the age of twentieth, in which employment he gave ample testimony of his witt and courtesie, by ane obleidgeing carriage to all that had ther addresse to his father for bussines wherin he was to be concerned as his father's baillzie, soe that absolutely he gained the favour and good will of his father's vassalles and tennents, who then wer not a few, in the shirefdomes of Clidsedale, Mid-Louthian, and Roxburgh. But being now of the age of twentieth and three, or therby, a compleat gentleman both in persone and parts, his stirring thoughts wer not to be confyned to his father's house and privat affaires. The court was in his eye, ther being noe use for the campe, King James the Third haveing made peace with Hendrie the Sexth of England. The principall governement of affaires was then in the hands of Andrew Stewart, Lord Evandell, Chancellor of Scotland, who was the first that took notice of him, being weill acquainted with his father, Lord John, since the pretended hunting and the king's bringing off from Linlithgow to Edinburgh castle; att which tyme he took the governement upon himself, at the instigatione of the Boydes,

and these that adhered to them in that designe, wherof the Lord Somervill was one. The king then keeped court att Stirling, and few of the nobilitie resorted thairto, the Cochrans and men of mean extractione about this tyme wer beginning to have the king's ear; soe that persones of qualitie disdained to have or accept of favours by ther meanes. However, this young gentleman remained att court neer two years in the retinue of the chancellor, who, besyde a particular kyndenes and freindship he boor to the Lord Somervill, had, by his mother, a neer relatione to the house of Cowthally; and the truth is, if this gentleman had continued att court a litle longer, by the king's favour and the chancellor's kyndenes, he might have made a considerable figure. Thairfore the king's majestie being informed by the chancellor what he was, took particular notice of him, and seeing his persone handsome and his addresse courtly, commanded his stay att court; which, if he had done, undoubtedly it would either have been to his great honour and advantage, or else he had perished as weill as others, if his birth and qualitie had not preserved it from that storme which sank most of the king's favourites dureing his reigne, yea, and at his death too.

But, to prevent any such misfortune to the sone, the father comes to ye court, the king being att Linlithgow, where he understands the discontent of the nobilitie, and what was lyke to follow. The plot of Lauder Bridge was about this tyme contryveing, which took effect some two years eftir, to the ruine and destructione of the king's most intimate favourites; which this nobleman forseeing, and unwilling that his sone should spleit upon the rockes of court favours, noe intreatie of the chancellors could perswade him to let his sone remaine any longer there, pretending himself was now infirme, by reasone of his age, his eldest sone sicklie, and under such decay as, in all human probabilitie, he could not live long. Albeit ther was truth, it was but a pretext; for this lord foirsaw the storme, and thairfore resolved to reteire his sone both from the envy of the nobilitie and the hazard he might incurre therby. Besyde this, he was fondly affectioned toward him, and seldome could dispence with his absence from his ounc persone, which was the reasone that, dureing his father's life, he gott noe great things donc at court. Being now returned home, he sett himself wholly to humor his father, which he did soc weill, that he bestowed upon him the tounc

and lands of Quathquan, the proppertie wherof some years preceeding had been purchased from Thomas Chorsewood, nephew to George Chorsewood, Bishope of Brichen, some tyme Chancellor of Scotland. This being the first land that ever Sir John was infeft in, he still designes himself by them.

Archibald Earle of Angus being one of the discontented, for the most part had his residence att Douglas castle. The Lord Somervill now and then payed him a visite, and reciprocally receaved the lyke from his lordship; at these intervieues this young gentleman was ever present with his father, which occasioned the earle to converse much with him, whereby he found his inward induements answearable to the handsomenes of his persone. He resolved to be the more intimate with him, therby for the future to obleidge him to his service. The father observeing this, gave privat warneing and commands to his sone not to engadge soe much as by promise to the earle; for the courses the nobilitie was then takeing, and wherof Angus was the cheiffe, to restraine the king in the choyce of his minions, did not at all please this nobleman. The Earle of Angus craved the young gentleman might remaine some tyme with him, where he should be

respected according to his qualitie; but Lord John excused both himself and his sone in a handsome way, by telling the earle that being neer nighboures they might converse weekly, and that if his lordship's occasiones requyred either counsell or assistance, not only of his sone, but all his oune followers should be ready to serve him. This being in effect but a naked complement, the earle resolves not to rest upon it, but determines both to tye the father and sone to his interest by affinitie. In order to this designe, by some of his confidents, he made tryall what fortune John might expect from his father as being the eldest sone of a second marriage; and they informed, that William Barrone of Carnwath, his eldest brother, was only infeft in the barronie of Lintoune: three parts of the barronie of Carnwath, and in the lands of Mid-Louthian; the wholl barronie of Cambusnethen; a fourtieth pund-land of the barronie of Carnwath; the fourth part of the barronie of Stenhouse; a ten merk land within the barronie of Burthen, in the shirrefdome of Peebles, wer all yet at the disposeing of the father. The Earle of Angus being fully informed of the Lord Somervill's affaires, he caused propone marriage to the father and sone, haveing at this tyme to his half sister

a noble and vertuous lady, Elizabeth Carmichael, daughter to a younger brother of the Captaine of Craufuirds, who had marryed Elizabeth Sibbald, or Sibbard, daughter to Sibbald of Balgonie, sometyme Thesaurer of Scotland, descended of the ancient Earles of Northumberland. This lady was the relict of George the first Earle of Angus, eftir whose death she marryed a younger brother of the Captaine of Craufuirds, and procured from her sone, as is supposed, the lands of Ballmoodie in Ffyffe. This was the extraction of the young lady, and his oune half sister, which Archibald Earle of Angus, commonly called Bell-the-Catt,[1] proposed in marriage to the Lord Somervill and his sone, which, albeit it was kindely intertained, yet it took noe effect untill eftir the death of King James the Third at the battle of Saugheburne, whereat this young gentleman is made prisoner, and had both

[1] He obtained this nickname from his memorable answer to an apologue related by the Lord Gray to the assembled nobles at Lauder, while they were deliberating upon the mode of separating the king from his favourites. The fable was of the rats, who had resolved to tie a bell about the cat's neck, that they might be aware of all her motions, which passed for good counsel until it was found that none of the rats durst adventure his person in fastening it on their enemy. "I will bell the cat," was the earl's answer; and hence his well-known soubriquet.

his life preserved and his libertie by the Earle of Angus his procurement: wherupon, the succeeding year 1489, the conditione of the marriage 1489.
was concluded upon, and the same solemnized att Edinburgh the third of Jully, 1489, the old Countes of Angus resideing there for the tyme. In September following, his father being yet alyve, he bringes home his young lady to Cowthally, where the infare[1] was honoured with noe meaner guest then the king's majestie James the Fourth, being then in the second year of his reigne, and in the eighteinth year of his age.

The king, neer to Inglestoune Bridges, had been met with by Sir John of Quathquan, with some fyftieth gentlemen of his oune name and his father's vassalles, who waited upon his majestie unto Cowthally house. John Lord Somervill, by reasone of his age, was not able to meet the king at any distance. However, being supported by William Somervill, younger of Plaine, and William Cleilland of that ilk, both his nephewes, he receaved the king at the west end of the calsay that leades from Carnwath toune to Cowthally house, where his majestie was pleased

[1] The entertainment made for the reception of a bride in the bridegroom's house.

to light from his horse, as did his wholl retinue, and walked upon foot from thence to Cowthally, being neer a quarter of a myle of excellent way. At the outter gate Dame Marie Baillzie, then Lady Somervill, being at this tyme not above the fourtieth and sexth year of her age, with her daughter-in-law Elizabeth Carmichaell, Sir John of Quathquan's lady, the Lady Aplegirth, the Lady Cleghorne, the Lady Carmichaell, and the Captaine of Craufuird's[1] lady, with a great many others, that both by affinitie and consanguinitie wer related to the house of Cowthally, with severall other ladyes, wer ther present to wellcome his majestie to the infare, and make the intertainement more splendid. What ther fare was needs not to be discoursed upon; it is enough to know it was in Cowthally house, where three of his majestie's predecessores had been intertained before, and his successor King James the Fyfth often. How long his majestie continued in Cowthally I cannot be positive, but by the chamberlane's and steward's accompts, I find

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[1] Crawford-Castle, situated in Crawford-moor, in the upper ward of Clydesdale, was at this time a royal fortress. The keepers, or governors, of such royal castles were called Captains in the language of the times.

ther was noe fewer beastes killed then fyftieth kyne, two hundered sheep, fourtieth bolles of malt, and of meall sexteinth, of butter twentieth stone, spent at this infare, besyde fishes, tame and wilde foull in such abundance, that both the king and the nobilitie declared they had not seen the lyke in any house within the kingdome; and yett this intertainment was short by neer a third as to that the first Hugh Lord Somervill gave to King James the Fyfth, at the marriage of his eldest daughter Lady Cookpoolles.[1]

This feast being over, the king, with his traine, makes for Stirling, and was waitted upon by the principall of the nobilitie, who wer now at concord, all ther quarrelles sometymes before this being setled by the providence of this young prince, who was of a calmer and mylder dispositione then the late king his father, whose untractablenes was the great
if not the only cause of his ruine, as is supposed. His majestie was waitted upon by James Lord Hamilton, and the gentlemen of both the wairdes

[1] From the rude hospitality of Cowthally-Castle, there arose a pun on the name, which is still current among the common people, as expressing the traditional remembrance of the good cheer it once afforded.—Cowthally, *quasi* Cow-daily, because a cow was killed every day of the week.

of Clidsedale to Stirling, where, haveing remained some few dayes, the Lord Hamilton and his brother-in-law the lord chamberlane took ther leave of his majestie, and returned to Hamilton, bringing with them Sir John Somervill of Quathquan, who had gained soe much upon the affectione of his young master the king, as made these two noblemen bear a singular respect to this gentleman, which both of them gave promise of in granting of a band of protectione to him dureing his abode att Hamilton: and because I have allready given yow the forme of a band of mandrey in the memorie of John Lord Somervill, the father of this gentleman, I thinke it not amysse in this place to give yow that of a band of protectione, these two formes of bands as to the tenores differing. The band followes:—

"Be it kend till all men be thir present letters, me, James Lord of Hamilton, and Alexander Home, Great Chamberlane of Scotland, to have receaved and taken, and be the tenor of thir present letters, receaves and takes our weill beloved cousine and familiar servant, John Somervill of Quathquan, sone to John Lord of Somervill, for his true service till us, done and to be done to our simple mantenance and defence, and obleidges us both conjunctlie and severallie

therto, be the faith of our bodies that wee shall defend him in all his actiones, causes, and quarrelles, leifefull and lawfull, for all the dayes of his life, without fraud or guyle, and specially in brooking and joying of the lands quhilke his father hes given him in heretage, and contrary to all that live and may live, exceptand our alleadgeance to our soveraigne lord the king allennerly.[1] In witnes of the quhilke thing, and because wee the said James Lord Hamilton hes nae seall present of our ounc, wee have affixt instantly the seall of our cousine James Hamilton of to thir presents, att Hamilton, the thretteinth day of September, the year of God 1489, before thir witnesses, John Nisbett of Dallzell, William Hamilton of Calder, David Hamilton, Parsone of Carstaires, Robert Hamilton, Parsone of Arskirkpatrick of Hamilton, and Rodger Cleilland, with others; and wee the said Alexander Home, for wee have sett to our seall to thir presents, with the subscriptione of both our hands, the forsaid day and place, before the forsaid witnesses." This is that band of pro-

[1] The Knight of Quathquan having obtained such a large portion of the family estate to the prejudice of his elder brothers of the first marriage, probably sought the protection of these powerful barons to maintain him in possession of it.

tectione granted by these noblemen to Sir John of Quathquan, wherunto both ther sealles are affixed, and ther superscriptiones both unlegible, the character being without all forme for any man to know the name or sirname of these noblemen designed in the band of protectione.

Sir John of Quathquan haveing thus secured himself by his marriage and protectione, his father the Lord Somervill being dead in *anno* 1491, he transports himself and his familie to Cambusnethen, the barronie wherin he was infeft upon his marriage, the house of Cambusnethan at that tyme being only a large squair tower, four storie high, called the Baird's Tower, which name was still retained untill the year 1661, that the same was demolished by Sir John Harper, present possessor of that barronie, who, modelling the house eftir a new forme, razed to the foundatione the greatest part of the old building. However, to this tower of the Baird's, Sir John of Quathquan built a great house, ane hundered foot and upward of lenth, and threttieth of breadth within the walles, all excellent aisler worke both within and without, standing upon fyve spatious vaults, being only three storie high, with a large turnepyke betwext the old tower and the bodie of this house, which serves both.

1491.

I have often admired soe fair a frontispiece and excellent workemanship of soe large bulke, that promises soe much, to have not above fyve roomes besyde the vaults, and these nothing to commend them but ther largenes. This I suppose is to be imputed unto these tymes, wherin, indeed, they built weill, but contryved ill, as may be seen in all the ancient houses of Scotland: nether are the workemen altogither to be condemned in this, seing the noblemen and gentlemen built more for their safetie then conveniencie in that age.[1]

Archibald Earle of Angus being now made chancellor in *anno* 1493, Sir John of Quathquan goes to court, it being the fyfth year of King James the Fourth's reigne, where he continued neer four years, dureing which tyme he was knighted and gratified by the king with severall benefices, particularly with that gift of nonentrie and recognitione of the lands of Gillmertoune, allready mentioned in his nephewe's memorie. 1493.

[1] The old Scottish castles were ill provided with lodging apartments. The numerous retainers were indeed feasted in the hall, but retired at night to the village or hamlet which adjoined to the castle, unless when they remained to garrison it, upon which occasions their accommodations were probably very indifferent.

And now that posterity might not blame him, being soe great att court, that he did all for himself and nothing for his pupill, in *anno* 1500, George Gordoune Earle of Huntley being chancellor, he obtaines from the king, in favours of his pupill, a charter of new infeftments for holding of the barronies of Carnwath and Lintoune blenche, which formerly held black waird of the croune. This was the only benefite that his pupill, Lord John, reaped by his tutorie, or that which the house of Cowthally had reasone to thanke him for eftirward; but whether or not the barronie of Lintoune in Roxburgh shire was sold about this tyme, is that which I cannot resolve; but this I know for a certane, that the Kerrs of Lintoune, possessores of this barronie at this present, ther originall right is from Lord John Somervill, and ther hes not been ane of that name since Sir John of Quathquan his tutorie. But passing that, I returne to Sir John of Quathquan, who, haveing raised his house by the king's favour, his father's bountie, and his oune marriage, continued the same by sure and firme freindship with all his nighboures, soe he resolved to establish his familie for the future by as honourable ane allya as was within the natione.

The Lord Mugdock, the Earle of Montroses eldest sone, being much given to the sport of halking and hunting wanted the company of non soe much as young Cambusnethen,[1] a briske young man much about his oune age, and excessive in these sports wherto the Lord Mugdock was inclyned. This gentleman, frequently at his halking or hunting, used to wear at his syde a letherne bag, covered with scarlet satine, for holding of his halkes meat, which gave the first ryse and occasione to that nickname wherby he was called, *Sir John with the read bag*, and continues soe to be designed by all that speakes of him untill this day. The frequent meetings the Lord Grahame and young Cambusnethen had togither, upon the account of ther sport, occasioned ther often stay at others houses, where young Montrose first saw Mary Somervill, eldest daughter to Sir John of Quathquan, who intertained this young nobleman with that respect due to his qualitie, and favour answearable to the dear freindship that was be-

[1] That is, in ancient Scottish phraseology, the son and heir of the existing proprietor, who, if his father lived to the age of old Parr or Jenkins, and he himself to the verge of ordinary human existence, was always designated the Young Laird.

twext him and her brother, whom she loved for his many vertues and kyndenes he had to see her honourably matched. The Lord Grahame, upon the first sight of this lady, had a lykeing for her; but haveing conversed a litle, he found by her discourse the inward qualificationes of her mynde was answearable to the outward perfectiones of her bodie, which wer excellent every way; and it wer folly for me to praise this lady, remembering of what familie she was, which, for four succeeding generationes, brought furth daughters that was second to non in the kingdome for vertue, beutie, and breading, such as that age allowed. Nor was ther any (albeit of greater qualitie) more honourably marryed then they wer, soe that at this day the most eminent families in Scotland hes, by affinitie or consanguinitie, a relatione to the house of Cambusnethen.[1] Dureing the tyme of the Lord Grahames

[1] Our genealogists agree that William, second Earle of Montrose, married Janet Keith, daughter of William Earl Mareshal; but, as is afterward mentioned, Sir John Somerville of Quathquan certainly married Margaret, sister of the Earl of Montrose: what authority the author had for making out a cross alliance does not appear. Perhaps Mary Somerville had died without issue, a circumstance which often induces geneaogists to pass over an unfruitful spouse, as unworthy of a place in the pedigrees they compile.

courting of this lady, Read Bag, for soe I must still designe young Cambusnethen, although his true name was John, falles in love with a second daughter of the Earle of Montroses, named Margaret, whom eftirwards he marryed.[1] Haveing the favour of the young lady, the assistance of the brother, the consent of the old earle was soon obtained, ther being noe long demurre. A double marriage is agreed upon betwext the earle and Sir John of Quathquan. The contracts are dated att Glasgow, the tenth of Jully, 1510, and both the marriages followes in September thereftir. 1510.

Sir John of Quathquans tutorie and curatorie four years before this tyme expyreing, he begane to observe the eminent vertue that appeared in the tender years of his nephew Hugh, only brother to Lord John, who now being about the age of twentieth and one, compleanes to his relationes, that both his brother and himself, with ther estate, had been too long under the mannadgement of ther uncle, litle to ther advantage, and lesse to ther credit, either of which his eldest brother was incapable to discerne, know, or re-

[1] She had been previously married to William, Master of Lennox.

meed; but for himself, he would continue noe longer under that subjectione, nor yet suffer his brother to be abused, nor his fortune ruined, as, in all likelyhood it could not otherwayes be, if his uncle had the mannadgement therof, as should be found by what Sir John had allready done in the tyme of his tutory and curatory to ther prejudice. Sir John of Quathquan being advertised of this, makes it his bussines to place such about the Lord Somervill as should give him tymeous advertisement of all transactiones, or privat wryttings that might passe betwext the brethren, intrusting these confidents of his likewayes with the intromissione with the rents, which they compted for still with him, albeit eftir the year 1506, the discharges was still granted by John Lord Somervill to the tennents; and thus for four years he continued; but finding this procedor of his in prejudice of Hugh, who was to succeed to the estate, to be ill taken by most of the freinds of the house of Cowthally, and particularly by Patrick Earle of Bothwell, who was then beginning to be in great favour with King James the Fourth, he resolves to give over all direct medleing with the Lord Somervills estate; but that he himself, nor his successores, might not be called in questione for his intromissione,

he bringes Lord John to Edinburgh, and procures that ample declaratione and discharge allready mentioned in Lord John's memorie; it is dated the eleventh of August, 1510; eftir which Cambusnethen concerned himself not in the Lord Somervilles affaires. He outlived this tyme but three years, before King James the Fourth, haveing, in *anno* 1513, resolved to make warre upon England, by the instigatione of the French ambassador, and Bernard Stewart, that famous warriour under Charles the Eight of France; but that which hightened and exasperated the brother kings was the death of Robert Ker, Warden of the Borders by three Englishes, Heirone, Starhed, and Lillburne; as also the killing of Andrew Barthon, who, upon ane old quarrell begune in the reigne of King James the Third, had purchased letters of reprysall against the Portingailles, by Thomas Haward, the English admirall is slain. These, with severall other pettie injuries, hastenes King James the Fourth to his ruine, notwithstanding the interest of state, the teares of his queen, the perswasione of his nobilitie, and the sad predictiones that foirtold his fatalitie, which is fully related by Hathorneden. With the conjectures about this king's death, whether killed in the battell or eftir murdered by the

1513.

Homes, it makes to my purpose to show that as Sir John of Quathquan lived in the favour of his royal master, soe he dyed with him, being in the retinue of George, Master of Angus, his ladyes cousine-germane, and Sir William Douglas of Glenbervie, all of whom, with two hundered gentlemen of ther relationes, wer killed at this unfortunate engadgement of Floudon, *anno* 1513. And thus lived and dyed Sir John of Quathquan, with whom I should never have ended, if all his particular actiones and transactiones with persones of all rankes and qualities wer here insert. Let it suffice, that before his death, he had, and brought togither, the greatest number of wryttes that was in any private man's hands not relateing to the publict in Scotland; and, to be ingenuous, what I have written of the memory of the house of Cowthally and ther cadits, are from his charter chist; and I am apt to believe the present Earles of Carnwath hes few or noe evidences beyond the year 1500, at which tyme the holding was changed in favours of the last Lord John. What children Sir John had besyde his eldest sone, who succeeded to him, and William of Trabra and two daughters, the Lady Montrose, and Elizabeth, marryed upon the Laird of Diell, I know not. As for himself,

he was a gentleman borne to actione, of a noble and generous spirit. He understood how to engadge by his assiduitie and services the greatest families of Scotland to his freindship, knowing that albeit he was weill enough staited in his prince's favour, yet it was hard to stand against envy, especially of the great ones. Dureing the fyftieth and four years that he lived, he gave evidence by his actings that he came short of non of his predecessores for worth and vertue. Doubtles if it had been his fortune to have been the eldest brother, or if his two nephewes had dyed, whereby he might have succeeded and been Lord Somervill, he had raised the house of Cowthally to a higher degree of honour and greater estate then any of the name that was before him in Scotland. His lady outlived him but some few years, and lyes buryed in the quier of the old church of Cambusnethen, now without a roof, ther being a new one erected and built of the same name at a place called the

It was impossible for me to wryte lesse of this noble gentleman, seing his merites craves noe lesse, haveing left a charter chist that many sheets of paper would have but served to inven-

tar the wryttes therin, 148 years eftir his death. It came to my hands when it had remained neer seven years in the Laird of Cleilland's house, and been pillaged by every man, Sir James Somervill, the last laird of that familie, had sent to it. I shall noe further of this worthie gentleman, but informe that he was the second cadite in the qualitie of a barrone that went of the house of Cowthally, the Laird of Plaine being the first, but much short of Cambusnethen both for honour and estate; nether was ther any of the name of Somervill in Scotland that attained to the qualitie of barrones but these two that I can find, thoughe there was many landed gentlemen, both before and eftir this tyme, cadites of the house of Cowthally, off whom I shall take notice, and give ane account as I proceed in the memories of the four succeeding lords; but seing Lord John stands yet in my way, who outlived his uncle eleven years, in all which tyme he acted nothing by himself, thairfore I shall referre what was done in his affaires dureing that space to the memory of his brother Hugh. However, I think it not impertinent, before I begin that relatione, to acquaint you that Lord John dyed in Cowthally castle, about the age of

threttieth and nyne, in the year 1524,[1] and lyes buryed in the yle of Carnwath church, being as incapable of marriage as he was of doeing any bussines. Thairfore both his honour and estate fell to his only brother, Hugh, off whom I am next to treat.

Off Hugh, Lord Somervill, the twelth Barrone of Lintoune, the nynth of Carnwath, the sexth Lord Somervill, and sexteinth from Sir Gualter de Somervill; and of Read-bag, the second Barrone of Cambusnethen.

Hugh Lord Somervill, sone to William Barrone of Carnwath, and only brother to Lord John, succeeded to him in all his fortune and honours in the year 1524, and of his oune age threttieth and four or therby, haveing now been the second tyme marryed, a gentleman much borne doune in his youth; for noe sooner began he to appear to the world eftir his minoritie was 1524.

[1] There seems to be some mistake in this date. From proceedings in parliament, to be hereafter noticed, it would appear that Hugh Lord Somerville possessed the honours and estate in 1523.

past, but his uncle, Sir John of Quathquan, who had been sole tutor and curator, and absolute intromitter with his oune and his brother's estate, took speciall and particular notice of him, fearing if eftirwards this gentleman should succeed to the estate of Cowthally, he might call him to ane accompt, both for his intromissiones and actings; but that which he doubted most, his nephew being of a pregnant spirit, that he should make some interest at court, taking example from himself, should follow that methode which had brought him to soe much honour and greatnes: And indeed in this he was not mistaken, for his minoritie being out in the year 1506, he begane not only to consider his oune affaires, but to concerne himself with these of his brothers, Lord John, which made his uncle, Sir John of Quathquan, to crosse him all he could, both at court and any interest he could make with his brother or other freinds related to the house of Cowthally; notwithstanding wherof he went foirward vigorously, and resolved not to suffer his brother's simplicity, nor yet his uncle's great interest and freindship att court, to destroy that estate. He begane now to look upon it as his oune. In order to this he labours first to secure these of his relationes to his inte-

rest, which he did effectuat; but at lenth found that it did but litle advance his affaires, or put any restraint upon his brother, who wes preyed upon by every bodie that had any medleing in his affaires. Thairfore as his uncle, by macheing with the Douglasses, had engadged one of the noblest families and greatest in name of any in Scotland to his oune interest, soe he resolved to be nothing short of him in allyance. The house of Hamilton, by marriage to King James the Third's sister, who had been the wife of Thomas Lord Boyde, from whom she was divorced and marryed upon James, the first Lord Hamilton, by reasone wherof this familie was now at a great hight both for honour and estate, and the name universally the most thriveing of any in Scotland; and amongst them all non more about this tyme then a young gentleman, James Hamilton, naturall sone to James, the second Lord Hamilton, and first Earle of Arrane, begotten on a daughter of the Lord Boydes. This gentleman, by his father's donatione, had the lands of Finhard given him in patrimony, by which he was ever designed, although eftirwards, by his interest att court and great trust and favour he had of King James the Fyfth, being his thesaurer, he purchased in a short tyme a vast fortune in lands,

equal to, if not much beyond the house of Hamilton itself, as was supposed; and for strong and stately houses, being the king's master of worke, and the principall architector of that age, ther was non did equall him for the royall houses, that was the palace of Hollyrudehous, Linlithgow, Falkland, and some part of the foirworke of the castle of Stirling. A great part of these staitly buildings was either built or much repaired by him, in which conditione they continued till our tyme, except Falkland and Hollyrudehouse, that was brunt by the Englishes; the later being now rebuilt and made one of the regularest palaces in Brittane.

It was with this gentleman Hugh Lord Somervill begane to be intimate long before his greatnes att court, or Lord Hughe's oune comeing to the estate of Cowthally. That which moved him heirunto was the eminent place this gentleman's father, the Earle of Arrane, held with the king, and the consideratione how steedable he might be to him. He understood too weill by what he mett with from his uncle Sir John, who albeit directly by himself he appeared not to medle much with his nephew Lord John's affaires eftir the year 1506, yet had he still with him such of his oune creatures as absolutely governed him, and made him doe what he advysed, which I

could instance in many particulars, but being of pettie concerne I passe them over: Sir John's maine bussines was to have an eye upon this young gentleman att court, wherof he was sure enough soe long as King James the Fourth lived; albeit Lord Hugh, in the qualitie and conditione he was in then, was not wanting to make severall addresses to his majestie, both by himself and the mediatione of some grandies for redresse of these disorders that happened dayly by his brother's mismannadgement, to the inevitable ruine of the familie and house of Cowthally, if not prevented by some restrictione putt upon his brother. He, thairfore, craved that warrand might be granted by his majestie and counsell to him, or such as they should be pleased to appoynt, for the government and oversight of that estate that it perished not; but all this was to noe purpose, for these that favoured Sir John of Quathquan, alias Cambusnethen, perswaded the king, then James the Fourth, ther was noe hazard that ther would be any thing done amisse in the Lord Somervilles affaires soe long as his uncle lived. Hugh haveing mett with this oftener then once or twice, resolved to presse it noe further, but attend a more favourable opportunitie. Next to James Stuart, Arch-Bishope of

Saint Andrewes, and Chancellor of Scotland, the Earles of Erroll and Argyle, ther was non soe great att court, nor more in favour with the king, then Bothwell Hepburne, who, being cousine-germane, once removed with the two brothers, made severall journeyes to Cowthally to advyse Lord John to take himself to ane honourable mantenance, and allow his brother Hugh the government of the estate, which he was not able to mannadge of himself. But noe intreaty nor perswasion could prevaill with him; for to have used reasones had been lost labour to one who was not capable of reasone and extremely willfull. The Earle of Bothwell, finding he could not prevaill, told Sir John the uncle, in some passione, who purposely had been sent for to Cowthally, that he might continue his tutorie soe long as his nephew lived, for certanely he stood in need of one, and it was fitt he should be that rather then any other, seing his only brother Hugh was denyed all trust, he had the greatest interest, and deserved it as weill as any other, being most concerned. This tryste being brocken up, Hugh accompanies the Earl of Bothwell to Edinburgh, where it was resolved ther should be a supplicatione drawen and given to the king and counsell, which was all the judicatorie the

natione had at that tyme for civill actiones, both for bringing Sir John of Quathquan to a compt and reckoning for his twentieth years intromissiones; and that some of the Lord Somerville's neerest relationes might be appoynted to intromett with the rentes, and oversee Lord John's wholl affaires. This petitione was given in to the counsell upon the twentieth and fourth of Jully, 1510. What returne it had I find not, for there is noe delyverance neither upon the back therof, nor yet at the foot of the wrytting, which makes me apt to beleive it is but a double which I have seen, and that Hugh Somervill is subscryveing the petitione. However, Sir John of Quathquan was soe startled and affrighted with this petitione, that upon the twentieth of August thereftir he bringes in his nephew, Lord John, being then in the twentieth and eight year of his age, to Edinburgh, which was the first and last tyme that ever he was there, and caused him grant that discharge and declaratione wherin he approved and allowed all that his uncle had done dureing his long tutory.

Hugh being at Edinburgh with his step-grandmother, who was the second tyme a widow, by the death of her second husband the Laird of Lusse, was resolved to goe abroad, but could

obtaine non of his freinds consent, particularly his step-grandmother, who was very kynde to him, even in oppositione to her oune sone, Sir John of Quathquan, diswaded him from that resolutione; yea, his uncle, as he thought, haveing secured himself in law, by that ample discharge and declaratione allready mentioned in Lord John's memory, wrote a very kynd letter to him to forbear that resolutione of goeing abroad; and he promised to give up all the trust he had from his brother, and put him in possessione of the whole estate, allowing only ane honourable mantenance to Lord John Somervill, conforme to his ranke and qualitie; and in this Sir John of Quathquan was as good as his word; for upon the eleventh of October, 1510, a great many of the name of Somervill mett att Cowthally, in order to the composeing of all differences betwext the uncle and the nephewes. These that mett wer William Somervill of Plaine, William Somervill of Cambo, David Somervill of Batla, James Somervill designed of Maphett, and John Somervill his sone. Most of these gentlemen wer of the judgement that Lord John should instantly make over his birth-right to his brother Hugh, and put him in possessione of the estate of Cowthally upon such termes as the

freinds there present should setle upon to both ther credites and advantage. This proposall was withstood by James Somervill of Maphett, and his sone John, both mainly by young Cambusnethen Red Bag, who hoped to succeed his father, Sir John of Quathquan, in the trust and mannadgement of the estate of Cowthally, as he did eftirwards, though the same continued but a short space. This meeting, through disagreement of freinds, succeeding noe better, Hugh confirmes his former resolutione to make interest att court by some honourable marriage. Anna Hamilton, naturall daughter to James, the first Earle of Arrane, and full sister to Sir James Hamilton of Finhard, by being begotten upon that same mother, the Lord Boyde's daughter. This marriage was solemnized att the castle of Hamilton, upon the twentieth day of December, 1510. The earle being then a widow, or at least soe esteemed by his divorce from Elizabeth Home, sister to Alexander Lord Home,[1] Great

[1] This divorce was of a very doubtful character, and long after its validity was called in question by the lords of King James's party, with a view of flinging the imputation of bastardy on the Duke of Chatelherault.

Chamberlane of Scotland. The seasing of Hugh Lord Somervill is of a date posterior to this marriage, and is at present in the hands of the now Lord Duke of Hamilton.

Being now setled, he resolved to dwell at the tower of Carnwath toune, where his father William had lived, and wherin he dyed. In order to this, the house being somewhat ruinous, he caused repair the same; and in May he brought his lady from the castle of Hamilton to Carnwath, being accompanyed with most of her relationes, and the gentlemen of the nether ward, in which infare he gave the first evidence how great a housekeeper he would prove. Some two years he lived quyetlie, without concerneing himself much in his brother Lord John's bussines; but the face of affaires being now changed by the death of King James the Fourth, who was killed at the battell of Floudoune, in *anno* 1513, in which battell Sir John of Quathquan, his uncle, (one of the king's favourites,) also fell, with his great patrone, his ladyes nephew, George master of Angus, sone and heir appearand to Archibald Earle of Angus, nick-named Bell-the-Catt.

Eftir the death of Sir John of Quathquan, who

was killed att Floudoune, Hugh, his nephew, begane to move in his affaires to purpose ;[1] and in January, 1515, he raises ane breiff of idiotrie, 1515. out of the king's chappell, against his brother, Lord John, directed to the shirrefs of Lanerk, or ther deputes. But on Tuesday, the twentieth and fourth of January, Red Bag, now Cambusnethen, eftir his father's death begane to have a great interest and medleing with Lord John's affaires. Wherefore, soe soon as he had intelligence that Hugh had purchased this breiff, he comes to Edinburgh, and petitiones the coun-

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[1] At first, however, without effect, since it appears that the relict of Sir John of Quathquan retained the management of Lord John, and excluded Hugh from his brother's presence, and from the castle of Cowthally; and that Hugh in vain attempted to obtain the tutory of his brother by application to the king and council. "*Anno* 1513, XXIII. Novembris, Anent the summondis rasit at ye instance of Hew Somervell, bruyer and apperand air to Johne Lord Somervell, apoun Elizabeth Carmichell, ye spous of vmquhil Johne Somervel of Camnethan, Knycht, that quhar ye said Lord Somervell is nocht of perfyte wisdome and knawlaige to haue ye reule and gouernance, and was debarrit yarfra be ye said vmquhil Sir Johne, and now inlykwiss the said Elizabeth withhaldis ye said Johne Lord Somervell in ye house of Cuthele, and will not deliuer him to ye said Hew, houbeit he has requirit hir yarto, as at mar lenth is contenit in ye said summondis, baith ye saidis partiis being personali present. The lordis of consell assolzeis ye said Elizabeth fra the petition of ye said Hew, as it is libelled, &c.—*Records, ut supra,* p. 534.

sell in behalf of his cousine Lord John, that both the persones and place of the inqueist might be changed, which he obtaines by this ther grant, the tenor wherof followes:

" James, be the grace of God King of Scots, to our lovites Duncan Riche, Gilbert Rutherfuird, James Bizett, John Adamsone, and John Davidson, messingers; William Somervill, James Kelloch, John Somervill in Moffett, and John Somervill in Greenfeild, our shirrefs in that part, conjunctly and severally, specially constitut greeting. Forsuameikle as it is humblie meaned and showen to us be our cousine John Lord Somervill, that wher his brother, Hugh Somervill, hes raised ane breif of idiotrie out of our chappell upon our said cousine, direct to our shirrefs of Lanerk and ther deputes, quhilke complaint is to be suit in our tolbuith of Lanerk before our said shirreffs of the samen, or ther deputes, on Thursday, the twentieth and fourth day of January instant, notwithstanding that the matter is great, and that ther is but few freeholders within our said shirrefdome that are of substance or understanding to passe upon the inqueist for serveing of the said breiff, and our said cousine should be judged be his.

" Our will is heirfore, and wee charge you

straitly, and commands that incontinent ther our letters seen, because our said cousine is ane lord of parliament, and that sick breif of idiotry are not usit, nor seusurt to be suit in the shirref court, ye passe and summond and warne the lords and barrones best and worthiest, and least suspect of our said shirrefdome of Lanerk, and of the four halfes thereabout, to compear before our said shirref of Lanerk and his deputes to our tolbuith att Edinburgh, the said day to passe upon the inqueist for the due serveing of the samen. With the qlk place and tolbuith of Edinburgh wee dispence, be thir our letters, and admittes the samen to be as lauful as the said tolbuith of Lanerk for the serveing of the said breiff; and that yee warne our said sherrifs of Lanerk to compear the said day and place, with his officiars and macers of court, for the serveing of the said breif, where part of the lords of our counsell may be present to see that justice be administrat; and that yee warne the said Hugh of the said day and place, soe that he may cause the saids lords, barrones, and freeholders, to ane sufficient number, to be summoned in due tyme. The quhilk to doe wee committ to yow, conjunctly and severally, our full power be thir our letters delyvering them be

yow duely execute and indorsat again to the bearer. Given under our signett at Edinburgh, the eleventh day of January, and of our reigne the first year.

"*Ex deliberatione Dominorum consilij.*"

But notwithstanding of thir letters purchased from the king's counsell, this actione lay dorment for neer two years, as appeares by that procuratory granted by Lord John in *anno* 1516, in the moneth of March, to Cambusnethen, to compear for him to gainesay and object against the said breif of idiotry, or any other actione his brother Hugh might have against him. This procuratory, with the king's letters, I have here insert, that the style in those tymes may be seen, because they are not knowen to many, nor yet to be found in every bodies hands. The procuratory followes:

"Be it kend till all men be thir present letters, wee, John Lord Somervill, till have made constitut and ordainet, and, be the tenor of thir present letters, makes, constitutes, and ordaines, the right worshipfull men and my trustie freinds John Somervill of Cambusnethen, Master Adam Otterburne, Master Francis Bothwell, Master Robert Galbraith, and John Nisbett, Barrone of Dallzell, and ilk ane of them conjunctly and se-

verally my very laufull and undoubted procuratores, actores, factores, and speciall earand bearers, giveand, grantand, and committand to my foresaid procuratores, and to ilk ane of them conjunctly and severally, my very full, free, and plaine power, expresse bidding, command, and charge for me, in my name and upon my behalf, till compear before ane honourable man, Patrick Barrone of the Spittellfeild, or any other persones, shirrefs of Lanerk in that part, be our soveraigne lords commissione direct therupon in the tolbuith of Edinburgh, the twentieth and fourth day of the moneth of March instant, or any whatsoever other day, tyme, or place; and there, for me and in my name, till object against and gainsay ane breif of idiotry, purchased be Hugh Somervill against me; and in the forsaid cause, gif need be, bestow instruments, to make exceptiones

and till answear be all termes and proces as law effeires; and gif need be, till alleadge and propone against the judges and ministers of the said court, and the day and place protestationes to make, instruments to raise, and all and sundry other things to doe, exerce, and use, that to the office of procuratory in sick caices is knoune to appertaine, or that I myself might doe if I wer

present in propper persone, firme and stable, haldand and for to hald all and whatsoever things my saids procuratores, or any ane of them, conjunctly and severally in the premisses, in my name, right easily leades to be done,

of all and sundry my goods, moveable and imoveable, present and for to come. In witnes of the quhilk to thir present letters, I have fixt my seall at Cowthally, twentieth and ane of the moneth of March, the year of God 1516, before thir witnesses, William Boyd of Ladeinhathe, William Somervill, David Somervill, Allan Lockhart, Gilbert Boyd, and Sir Hugh Craufuird, chaplane, with others." To this right of procuratory the Lord Somervill affixes only his seall, without subscryveing, which is three mullets or starres, with sex corslets, all of them somewhat differently placed upon the scheild be what the successor of this lord had them, who added a double crosse to the armes. What his reasone hes been I understand not, unlesse that haveing done it when he was second brother, continued them soe when he came to be lord himself.

The successe of this affair was at least answearable to Hugh's designe as to the maine, notwithstanding of thes procuratory, and Cambusne-

then's endeavour to the prosecutione of the same, by all the interest he could make with the Douglasses power,[1] who, in a maner, then governed all by ther cheifes marrying of the queen; for albeit legally he gott not his brother by the second inqueist declared ane idiote, yet by an interloquitor from king and counsell, he was impowered to intromett with the wholl rentes belonging to the lordship, the maines of Cowthally and Lampts being appoynted for his brother's mantenance, and the title and entrie of vassalles was reserved to him dureing his life. Thomas Somervill of Blackcastle,[2] and David Somervill

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[1] At this time the country was torn to pieces by factions, particularly those of the Douglasses and Hamiltons, headed by their chiefs, Angus and Arran. The Knight of Cambusnethan was connected by marriage with the first of these earls, as his cousin, Hugh Somerville, was with the second; and, besides that Angus and Arran strenuously endeavoured each to place his own ally as guardian of the imbecile Lord John, it seems probable that the strong castle of Cowthally was an object of desirable occupation to both parties. That Angus, by favour of the Knight of Cambusnethan, occupied the castle occasionally, is evident from a plan formed to besiege him in it, which was proposed by Hamilton to Home, the Lord Chamberlain, and rejected by him.—*Pinkerton's History*, vol. II. p. 126, note.

[2] This person, an adherent doubtless and relation of the Somerville family, figures in a law-suit betwixt them and Sir John Ross of Montgrenan.—"Anno 1491, xviii Maii. In ye acteoun

in Greenfeild, wer ordained to place trustie servants with Lord John, both for the care of his

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and causs persewit be Johne ye Ross of Montgrenain, Knycht, aganis William Someruale, sone and apperand are to John Lord Someruale, William Inglis, duelland in ye Est Schile, and Johne Someruale in the Blak Castell; yat is to say, ye said Williame Someruale for ye wrangwis interruptioun and perturbatioun maid to ye said Johne ye Ross, of ye sesing and possessioun geven be ye said William Someruale, his propir landis, to ye said Johne ye Ross, of ye landis of ye Erdhous and Huntschelewod, pretending him to interrup and brek ye said sesing and possessioun efter ye gevin of ye sammyn, and to here ye said pretendit interruptioun decernit of nane avale, force, nor effect, and to give ane testimoniale vndir his sell of ye said sesing yat he gef, and als apoun ye occupatioun and manurin of ye middill thrid parte of ye said landis of ye Erdhouse, and of ye thrid parte of ye landis of Huntschelewod, pertening to ye said Johne ye Ross, but tak or assedatioun of him and ye saidis William Inglis and Johne Someruale to here ye takis yat yai haid of ye saidis landis decernit and declairit of nane avale, becaus yai haf put saidis landis in ye handis of ye said William Someruale, and maid him occupiare of ye saidis landis, but licence or autorite of ye said Johne, quhilk William is owre lord of ye saidis landis, and dois preiudice to ye said Johne ye Ross be ye said interruptioun, and becauss he is of gretare conditioun and estate na yaim self, or yat yai sald mak subtennentis to yaim, and for ye said causs to here ye saidis takis forfalt and declarit of nane avale, and of ye wrangwis withhaldin of ye Martimes male last bipast of ye saidis landis extending to twa *li.* pertening to him as assignay to Patrick Hume of Fastcastell, and for costis and scaithis sustenit be ye said John yarthrow, all ye saidis partiis beand present be yarself and yar procuratouris yar ressonis and allegatiounis and vnderstandin, ye lordis auditouris decrettis and deliueris yat ye said William has done wrang in ye makin of ye said interruptioun and perturbatioun to ye said Johne in ye geving of ye said sesing and possessioun, and pretending

persone, and the bringing in the rentes of these lands for the use of his house, which he still keept att Cowthally soe long as he lived. This bussines being setled to the content of all the name, Cambusnethen only excepted, who stormed extremely that he was disappoynted of his

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him to brek the said lesing effer ye gevin of ye sammyn, and yarfore decernis and declaris ye said pretendit interruptioun and brekin of ye said sesing of nain avale, force, nor effect in tyme to cum. And also decretis and deliueris yat ye said William sall gif ane testimoniale vndir his sele to ye said Johne ye Ross of ye gevin of ye said sesing, and yat he does wrang in ye occupatioun of ye said thrid parte of ye landis of Huntschelewod, and yarfore ordinis him to decist and cess yarfra in tyme to cum, becauss ye occupatioun wes grantit be ye procuratouris of ye said William, and na richt schewin for him why he occupiit ye sammyn bot allegiit to be assignay to William Someruale, howbeit he mycht nocht be assignay, becauss he wes owr lord of ye sammyn na schew na assignatioun yarof, and alss decrettis and deliueris that ye said William dois wrang in ye occupatioun and manurin of ye said middilthrid of ye Erdhouss, and yarfore ordinis him to decist and cess yarfra in tyme to cum to be broikit be ye said Johun, eftir ye forme of his infeftment gevin to him yarapoun, and alls yat ye said William sall content and pay to ye said Johne ye Ross, as assignay forsaid ye said xl s of ye said Martimes male, and ordinis our souerane lordis letrez be direct hereupoun for ye puttin of yis decrett to executioun, and because ye said William Inglis grantit ye occupatioun of a part of ye saidis landis. The lordis yarfore, of ye consent of ye said Johne, ordinis him to remaine with ye tak of ye saidis landis, at ye will of ye said Johne, he payand malez and dewities to him yarfore as efferis."—*Records of Parliament*, p. 413.

expectatione in haveing the same interest that his father for a long tyme had in the estate of Cowthally.

The first thing Hugh did, haveing his residence att Carnwath, and the estate of Somervill secured to him, was to build the cross, which yet remaines there, and beares his oune and ladyes name upon it, with the armes; the year of God it hes not; however, I find it built in the moneth of Jully, 1516. Nether was ther any crosse att Carnwath before that tyme, nor within the barronie, save that of Newbigging, built by Sir Gualter of Newbigging, or some of his predecessores; for that crosse to know it by hes nether letters nor other armes, save a double cross, resembleing that which the crosse dollers beares at present. This gentleman, getting possessione of his brother's estate, and the mannadgement of the wholl affaires relateing therto, was not soe pleasing to him as in any measure to compense a sad dispensatione the Lord was pleased to tryst him with, about the later end of this year, 1516; for his lady, Anna Hamilton, and two of her sones dying of the small-pox within lesse then a quarter of a year of each other. Any may judge this was a heart-afflicting greiff, to lose soe excellent a young lady and her children, who, be-

syde the tender affectione of a husband and parent, had great hopes, by ther interest, to secure what he was allready in possessione off, and in expectatione to raise his fortune to ane higher pitch, which now he lookes upon allmost as desperate, in regaird Red-Bag's interest with the Douglasses, being the sister sone of Bell-the-Catt, and cousine-germane to the present Earle of Angus and Douglasse, that had marryed the queen's daughter of Scotland, and sister to Hendrie the Eight of England. This marriage, ther great power, and the king's minoritie, made the Douglasses inhance the wholl government of Scotland in ther hands, soe that this gentleman looked upon his interest with the Hamiltones as lost, because of his lady and children's death, they being soe neer related to the Hamiltones, who wer of greatest power to crush or crub the insolencies of the Douglasses, being neerest to the croune if the king should have dyed. But alace! his feares was soon removed, in regard that in a very short tyme ther was noe good understanding betwext the queen and her husband, the Earle of Douglas, which at lenth occasioned her divorce from the earle. John Duke of Albanie returneing from France, and takeing on him the

regency and governement of the realme, with the tutorie of the young king, sent the Douglasses out of the country, which, from the year 1513 to the year 1522, had still been in broyles, by the contentiones of the nobilitie, wherin every man syded as his affectione and interest led him. Cambusnethen, ouneing that of the Douglasses, and his cousine Hugh that of the Hamiltones, which, as this did increse ther animosities, soe it altered ther fortunes twice in a few years. Before this came to passe, in *anno* 1517, Hugh marryes for his second, Lady Janet Maitlane, daughter to William Maitlane of Leidingtoune, killed att the battell of Floudoune, and sister to Sir Richard Maitlane, being one of these two famous brothers, William and John, the first secretary to Queen Mary, and the other chancellor to King James the Sexth, of whose publict actings I shall not presume to wryte any thing, seing they make a great part of the historie of these tymes wherin they lived, as any may see that will be pleased to peruse Spotswood for the church, and Buchannan for the state. This marriage being in Jully, it was the later end of September before he brought home his young lady to Carnwath, who, haveing travelled noe further before

that tyme then betwext Leidingtoune[1] and Edinburgh, beleived it to be a greater journey for her then some of our ladyes now thinkes it to goe to London. But that which she admired most in her journey was the hilles upon her right hand, haveing gone the Bridge-house way, and the barenesse of the tower of Carnwath, haveing noe planting, yea, not soe much then as a kaill-yaird. There being nothing under her view from the house north-west but a great mosse, she fancied the order and progresse of the Israelites journey was inverted by hers, haveing left the land of Canaan to fix her habitatione in a wildernesse. But these thoughts did not long perplex her; for the table being covered and supper served up, she quyetlie enquyred at her husband, if ther was any great market toune neer by that he had all that provisione from. He told her, with a smyle, yes, he had two or three that was obleidged to yeald him more nor what she observed upon his table every day, and that upon noe other account but because it was his pleasure

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[1] Ledingtoune is situated in a rich part of East Lothian; Carnwath in a very upland and moorish part of the district of Lanerkshire.

to recreate himself some tyme in them. This she could not understand; but with a kisse he assured her, that within three or four dayes she should be ane eye witnes to the truth of what he told her. The weather being seasonable, he was as good as his word; for many gentlemen being invited to Carnwath, in order to the infare, and, amongst others, his cousine-german, Cambusnethen, albeit ther was noe good understanding betwixt them, with his lady, the Earle of Montroses daughter, the Laird of Dalzell, the Barrone of Diell, then Nisbett to his sirname, the Laird of Cleilland, with severall other gentlemen of the nether ward, all of whom wellcomed this young lady to the countrey; and this was not the least part of her wonder to see soe many ladyes and gentlemen in so short a tyme conveinne, and yet, soe farr as her sight could reach, she could discerne nothing but moores, and some few cottages scattered here and there: But this noble company, and the great fare, made her leave these thoughts, and intertaine her guests with a grace that was naturall to her, especially at meat, which made King James the Fyfth, who was often her guest, say, he nether had such wellcome nor soe great fare in any of his subjects houses as he receaved at Cowthally from his May

Maitlane, a nickname his majestie was pleased to give her, which she retained untill her death, the import of the word being in effect Mother Maitlane,[1] which she deserved very weill, haveing a numerous familie to oversee and provyde for, besyde her dayly charitie to these that needed, which she extended so largely and soe universally, that the rememberance therof remained more then ane hundered years eftir her death. But I passe this, seing frequent occasiones eftirward will offer to mentione her name in the frequent intertainements her royall master was pleased to receave at her house. Dinner being ended, she witnessed some desyre to goe abroad, wherin the Lady Cambusnethen did second her, and this did suit weill with all ther inclinationes, especially her husband's, who had ordered supper and most of ther lodgeings att Cowthally, his brother Lord John's familie makeing use only but of one of the towres therof. Ther progresse was first to the river syde, alongst the Lamepets haughes ; a fairer piece of ground, nor more pro-

[1] This is rather inaccurate, for the phrase is usually, though not exclusively, applied to maidens. But it is probably derived from the French *mie* for *amie*, or mistress. See JAMIESON'S *Scottish Dictionary, ad verbum.*

fitable in ane out countrey is not within the natione, where they beheld two hundered cowes, young and old, grassing along the bankes of the river of Clyde, besydes large meadowes reserved for ther winter

ground betwext that and the villages of Carnwath being cled with sheep; all this being under ther prospect, as they stood upon that green hill, that eftirward John Earle of Marre designed to build the house of Cowthally on. At this place Hugh came up to his lady, and asked how she lyked that sight. She answered, nothing better nor more pleasing could be seen then these meadowes and that levine ground, with ther furniture. "But how farr," sayes she, "is it to the toune ye promised to let me see?" Whereat he laughed heartili, and told the Lady Cambusnethen and the rest of the company the discourse that past betwixt him and his wife the first night att supper. When she came to Carnwath, rydeing doune the river syde, they turned at the march of Carstares barronie, then wholly, or for the greatest part, as to the propperty, possessed by the church, the baillzierie and command being the Lord Somerville's for many years before and eftirward. At lenth they came to Cowthally Loch, wheron

ther was a boat, which served for drawing the nets for fishes, wherin it abounds of all sorts, such as in use to be in any fresh-watter loch:[1] and, besyde this, ther is to be seen, throughout the greatest part of the year, many watter-foulles, very usefull for houses keeping; soe that it may be warrantably asserted, this loch furnished ther tables both with fishes and foulles; and, at present, if it wer rightly mannadged, by the use of a coy duke,[2] as they have in Holland, considering the seat of the loch, and the nature of the wholl countrey thereabout, it might yeeld a considerable revenue to the ouner therof. The boat upon the loch could admitt but of sex persones, thairfore the company resolved to take ther recreatione upon the watter by turnes, four ladyes and two gentlemen at a tyme. The first that entered was the Lady Cambusnethen, she being accustomed with the watter, by the frequent occasione she had to crosse Clyde at her oune dwelling. The Lady Somervill was timerous, as never being upon the watter before, to goe enter the boat; but the confidence of the Ladyes

[1] This lake is about a mile in circumference: no fish are now found in it save small perches.

[2] Decoy.

Carmichaell and Westerhall, who passed before, made her venter with the rest. The loch was smooth, the weather being now calme and very pleasant. They rowed the wholl lenth and breadth of the loch, the Ladyes Cambusnethen and Carmichaell sometymes applying the oares, to make knoune ther skill, and give confidence to the Lady Somervill, who now quytting her feares, was as forward as any of them, which she eftirwards testified, being often present in the boat at the drawing of the nets. This loch not being farr from the house of Cowthally, (haveing wearyed themselves at this recreatione, and the sun neer setting,) landing at the north-west end of the loch, and seeing the houses neer by, they would not take ther horses again, but walked upon foot, the gentlemen accompanying them alongst the top of the

or rig of dry hilles that leades directly from the loch of Cowthally, where, passing two litle bridges of stone, wherof one yet stands, they entered the first closse, which was only office-houses, unto the second gate upon the right-hand, where stood that great tower wherin Lord John then dwelt. I shall leave the descriptione of this house untill I come to wryte of Lord Hughe's buildings; and then it shall be

done according to the best informatione I have from these yet alyve, that saw it in it's best conditione.

Lord John, besyde his infirmitie at this tyme, was contracting that disease wherof, seven years eftirwards, he dyed, and was the very same that removed his father, William, master of Somervill, in the midst of his dayes. However, all the company, as they passed, rendered him a visite; and his sister-in-law, a most respective and submissive one, and which she ever observed to him dureing his life. He thanked all the company in the best termes he could; and they, not willing to be farther troublesome, tooke leave and went to supper, where ther fare was beyond all that the young lady had seen, wholl sheep and legges of cowes being served up in timber platers, or rather in troches of ane awell[1] forme, made out of the trunkes of
black and firme in the timber, as if they had been ibony or brizell, some of which remained untill my tyme. This was a vanitie and unthriftie custome they observed at ther treates in these dayes, for it was in the great quantitie of these,

[1] Oval.

and abundance of tame and wylde foull, that they gloryed most. The fashione of kickshoes and desertes was not much knoune, nor served upon great men's tables, before Queen Marie's reigne. Amongst other discourses att supper, Hugh told his lady she had seen two of the tounes, and to-morrow the third should be discovered to her that supplyed his table soe plentifully. By this she understood he meaned the Lampits, the loch, and the moores of Carnwath, for wilde foull. Supper being ended, most of the company remained att Cowthally, and the rest that could not be lodged there, went to Carnwath tower, the distance not being farr, but all returned the morrow and dynned att Cowthally; and thus they continued for some dayes, being feasted some tymes at the one house, and then again at the other, untill Saturnesday morning eftir breakfast, Cambusnethen, his lady, and all the nether waird gentlemen took ther leave, and receaved the complement of being convoyed the lenth of Cleghorne by his cousine Hugh and his lady, where they parted with great demonstrationes of kyndenes, and assurance given to continue for the future in firme freindship. But myne and thyne devydes all the world, as it did,

within a few years, these neer relationes upon this occasione.

John Duke of Albanie haveing receaved the governement, the first thing of any importance he did, as most remarkable in our histories, was to stryke off the heads of Alexander Lord Home and William his brother, and confiscated ther goods, and forfaulted ther lands. Being thus rid of the chamberlane, he did much fear that others of the great men would disturbe the peace of the countrey. Being resolved to goe to France, he makes the Earle of Angus governor in his absence; but withall joyned with him the Earles of Arrane and Argyle, the Arch-bishopes of Saint Andrewes and Glasgow. Dureing this tyme ther falls out great troubles betwext the Earle of Angus and the Earle of Arrane, the questione being for the baillzieship and right of keeping court in Jedburgh forrest, the Earle of Angus his lands; but in which Andrew Ker of Fairniehirst challenged a right and priviledge of doeing justice, and punishing of malefactores as heretable baillzie. In this contraversy Arrane syded with Fairniehirst, in oppositione to the Earle of Angus. He sendes his base sone James Hamilton. As he was on his way towards Fairniehirst to assist him, John Somervill of Cam-

busnethen, nick-named Red-Bag, settes upon him, killes fyve or sex of his company, took threttieth men and horses, and persewed himself soe neer that he was forced to run into Home castle for his safety.[1] This fact was imputed to Angus, on whom the Laird of Cambusnethen did for the most part depend, as being his nephewes men, thinking that this was done by his directione; but it is weill knoune, besydes this quarrel, and his relatione to the earle, that Cambusnethen at this tyme had a particular feed with the Hamiltons, which he evinced by a second attempt; for a conventione being appoynted att Edinburgh, where Archibald Douglas of Killspindie, the Earle of Angus uncle, or cousine-german rather, being provest, the Hamiltones

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[1] Sub idem fere tempus, semina discordiarum jacta sunt inter comitem Angusiæ, et Andream Carum Farnihestium, ob jurisdictionem agri quidem comitis, sed in quo jus conventuum habendorum Andreas sibi esse affirmaret. Reliqua Carorum familia comiti, Andreæ vero Hamiltonii favebant, magis ob Duglassii odium, quam quod certum jus esse Caro arbitrarentur. Igitur, cum, sub diem conventus, in majoris, quam pro re de qua contendebatur, aleam certaminis sese utrique pararent, Joannes Somervallius, Duglassianæ factionis, juvenis nobilis et magni animi, Jacobum, Araniæ Comitis filium nothum, in itinere aggressus, quinque comitum ejus occidit, reliquos fugavit, supra triginta equos cepit."—*Buchanani Historia*, apud *Opera*, Edin. 1715, fol. p. 261.

refuised to come thither, alleadgeing that they could not thinke themselves assured of their lyves in the toune where he was provest. The gentleman, to cutt of this excuse, layes doune his office, and in his roume was choysen Robert Logane, burges of Edinburgh. The Hamiltones therupon comes to the toune, and finding the Earle of Angus but meanly attended, his freinds not being yet come, they assembled togither ther factione in the Arch-bishope Beatones house, then chancellor, in the Black Frier Wynde, and there resolves by all meanes to apprehend Angus. The occasione was fair at this tyme, considering his singlenes and ther multitude. Soe soon as Angus heard of ther consultationes, he sent to them his uncle, the Bishope of Dunkeld, desyreing that if they had any greivance or just quarrell against him, they would complean therof to the conventione, to whose censure he would submitt himself, and make such satisfactione as it should please them to ordaine, and to this purpose Dunkeld spocke to Glasgow, the chancellor, to move the rest to accept of this offer, and that he would not be ane instrument of civill dissentione. But he had faire perswading of him. Noe man was deeper in it then he, who was ringleader to the rest, and very episcopally had putt

on armour to be present at it, and to assist them himself in persone; yet he sought to excuse himself, and laid all the blame upon the Earle of Arrane, who said he was highly offended with the Earle of Angus for many occasiones, but cheifly for the affront done to his sone by Somervill. Soe far the author of the historie of the Douglasses gives us ane account of Cambusnethen: But in his relateing of ther actings that day, he ascryves it wholly to the conduct and valour of the Earle of Angus, whereas it's certane that whatever hand the Earle of Angus might have, being the principall nobleman and most concerned, yet Cambusnethen was the principall actor of that bussines, as is evident from the act of parliament relateing to the Laird of Cambusnethen's forfalture, which eftirwards shall be spocken to. The matter in effect being this. Cambusnethen, haveing brought David Home of Wedderburne, his brother, and severall others that favoured the Douglasses, to the street of Edinburgh, in oppositione to the Hamiltones and the chancellor,[1] upon Munday, the last of

[1] These gentlemen, with their followers, forced the Netherbow-port, a gate which divided the city from the suburb called the Canongate, and thus appeared at the critical moment when

Apryle, 1520, att ten hours, assalted the persones and followers of the chancellor and the Earle of Arrane upon the High-Street of Edinburgh, as they wer goeing to the tolbuith for administratione of justice as they pretended. Prevailling in this, he expelled them and all ther followers furth of the toune; and when, upon the first of May, haveing incressed ther number, they designed to returne to the toune, Cambusnethen charged them again upon the Barrow Muir, forceing them with losse to reteire; for all which actes of hostilitie against the chancellor and Arrane, being regents for the tyme, in the parliament holden att Edinburgh, the seventh day of Apryle, 1522, by John Duke of Albanie, the Laird of Cambusnethen was forfaulted, and the gift therof given to James Earle of Arrane, Hugh Lord Somervill, and Sir James Hamilton of Finhard. Upon this grant and forfaulture the Lord Somervill[1] puts himself in possessione of the

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Angus was likely to be overpowered by the multitude of his enemies. The skirmish was long remembered by the popular epithet of "*Cleanse the causeway.*"

[1] Not John Lord Somerville, but his brother Hugh, acting perhaps in his name. As the two brothers adhered to different factions, it becomes difficult to trace the various incidents affecting the family.

fourty pund land that lay within the barronie of Carnwath, belonging to Cambusnethen in propperty, but holding of the Lord Somervill. Sir James Hamilton of Finhard possesses himself of the barronie of Cambusnethen.[1] What fell to the Earle of Arrane's share I find not in wrytt; but that Cambusnethen at this tyme had the fourth part of the barronie of Stenhouse, Drum, Gillmertoune, and Gutters in Mid-Louthian, with severall uther lands, both in Peebles and in Galloway, is certane, from wryttes and evidences yet remaining.

Dureing the tyme of Cambusnethen's banishment and forfaulture, which was three years, Sir
1525. James Hamilton built much at Cambusnethen, for he brought a great building in forme of a court from the south west quarter of the Bairds ther tower, and joyned it to the east quarter of

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[1] It is probably this forcible possession of Cambusnethen which is alluded to in an original letter from Sir Philip Dacre to Lord Dacre, 25th July, 1522, by which we are informed, "that, by Albany's command, Arran had taken Somerville's house, who was a partizan of Angus and Home, and turned his wife out of doors, though she was delivered but the day before." —PINKERTON'S *History*, vol. II. p. 203.

Note. The Somerville here mentioned must have been Sir John of Quathquan, the ally of Angus, and mortal foe of Arran.

that great bodie of the house of aisler worke, built by Sir John of Quathquan. This additionall building consisted of three quarters three storie high, and had in all twentieth and four roumes, which were still named the Hamiltone's Worke, I haveing seen this myself in the very forme it had. I have often admired soe excellent a man, and soe much admired both for his publict and privat workes, should have contrived soe ridicolous a building as this was, haveing nothing to commend it but a number of roumes, and staires twelve or thretteinth foot squair, one light and one sinking privie, ane roume for a bedsteed in each of the chambers, soe that it resembled ane hospitall, and rather diminished then added either beautie or convenience to the great house.

Some two years eftir this John Lord Somervill dyed, as is allready related. His brother now takes the title, and is designed Lord Somervill, who, being in possession of these lands that belonged to Cambusnethen, tennent steeded all the roumes belonging to him within the barronie of Carnwath with his oune relationes, or such as wholly depended upon the familie of Cowthally. Thairfore, in the year 1525, the eleventh of Jully, the parliament haveing restored the Laird

of Cambusnethen to all his lands, by takeing off the forfaulture,[1] he requyred the Lord Somer-

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[1] This restoration of fortune and blood took place on the third of August, 1525, upon a reconciliation between the great rivals Angus and Arran. The former doubtless stipulated for indemnity to John Somerville of Cambusnethan, as being one of his most attached and active adherents. The record of parliament is as follows:

"Anno 1525. Tertio Augusti. Anent ye summondis rasit at ye instance of Jhone Somervale, sumtyme of Cambusnethane, aganis Maister Adam Ottirburn of Auldhame, aduocat to our souerane lord, and aganis James Erle of Arane, Hew Lord Somervale, and James Hamiltoun of Fynnart, Knycht, allegit donatouris to our said souerane lord and Jhone Duke of Albany, his tutour and gouernor of his realme for ye tyme, in yat part of all and sundry landis, gudis, movable and vnmovable, of ye said Jhone Somervalis, be resoun of ye dome of forfaltour gevin aganis ye said Jhone, and ilkane of yame for yar interess to heir and see ye said dome of forfaltour gevin aganis ye said Jhone in ye parliament haldin at Edinburgh apoun Monunday, ye vii day of ye moneth of Aprile, ye zer of God i^{m} v^{c} and xxii zeris be ye said Jhone Duke of Albany, &c. gouernour of yis realme for ye tyme, adiugeand and decernand ye said Jhone Somervale to have committit and incurrit ye crymes of lese maiestie in diuerss punctis contenit in ye said dome of forfaltour. That is, in art and part of ye cruell and treasonable inuasioun of ye persouns of ane maist reuerend fadir in God, James, yan Archibischop of Glasgw, chancellar, and of James Erle of Arane, Lord Hammiltoun, twa of ye regentis of yis realme, in absence of ye said Jhone Duke of Albany, gouernour, yai beand passand fra yar house in ye said toun of Edinburgh to ye tolbuith of ye samin, for administratioun of justice, apoun Monunday, ye last day of Aprile, in ye zer of God, i^{m} v^{c} and xx zeris, aganis quham ye said Jhone, with his complicis, arrayit batell apoun ye public streit treson-

vill to repossesse him in these of Carnwath, which he refuised to doe. Cambusnethen ther-

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ablie, with wapnis inuasiue. And for ye tresonable art and part of ye expulsioun of ye saidis regentis, and ye laif of ye lordis furth of ye said toun yai beand deput for administratioun of justice. And for ye tresonable resistance and impediment making to ye saidis regentis and lordis being with yaim, sa yat yai mycht not do justice to our souerane lordis liegis, because yai war be ye said Jhone and his complicis be way of armes compellit furth of ye said toun. And for ye tresonable art and part of ye said conuocatioun of certane tratouris and rebellis of ye realme; as David Hume of Wedderburn, and his breyer, with a multitude of thevis and vyer ill doaris, ye first day of Maii, ye zer of God forsaid, arrayand batell in ye sicht of our souerane lord, apoun ye borrowmur of Edinburgh. And for ye tresonable assistance and favour gevin to ye said David Hume of Wedderburn, and his complicis, tratouris, and rebellis in ye taking of ye castellis of Hume and Wedderburn, and furnissing of ye samin contrar ye said regentis and our souerane lordis auctorite. And for ye tresonable conuocatioun of our souerane lordis liegis passand be way of batale in our said souerane lordis sycht to ye townys of Linlithgw and Striveling, notwithstanding ye said Jhone and his complicis war forbiddin to do ye samin be our souerane lordis lettrez, under ye pane of tresoun, and at his returning in ye tresonable arraying of batale aganis ye said James Erle of Arane, and inuasioun of him, as inuasion of our souerane lordis persoun, he beand ane of ye regentis of ye realme, and lieutenent of ye est marchis, aganis Ingland and Lothane, slayand diuers of ye kingis liegis, beand vnder his baner with ye said James Erle of Arane, decernand yarfore ye said Jhone to haue forfaultit his life, and all and sindry his heretagis, annuell rentis, possessiouns, superioriteis, with yar pertinentis and offices, with all and sindry his gudis, movable and vnmovable, to out souerane lordis vse and his successouris, to be assignit and perpetualie applyit or

upon persewes Thomas Somervill of Blackcastle, David Somervill of Greenfeild, and severall uther

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vyerwayis, at ye will of ye said Jhone Duke of Albany, protectour and gouernour of ye realm for ye tyme, to be disponit as in ye same dome of forfaltour is at mair lenth contenit, with all yat followit yarupoun to be cassit, adnullit, retretit, decernit, and declarit of na strenth, force, nor effect, fra ye beginning and in tyme to cum. And als to heir and see ye said Jhone Somervale declarit be our souerane lord, with ye counsale and avise of ye thre estatis of his realme to be restorit to ye faith and pece of his hienes, and to all and sindry his landis, annuell rentis, dominiouns, perpetuale and temporale offices, superiorities, jurisdictiouns, fame, honour, and digniteis, and to all and sindry his gudis, movable and vnmovable, and in ye samin state and place yat he was in befor ye geving of ye said dome of forfaltour aganis him for diuerss resouns and causis contenit in ye said summondis. Our souerane lord comperand in parliament be Maister Adam Ottirburn, his aduocat, Hew Lord Somervale being personally present; James Erle of Arane, and James Hamiltoun of Fynnart, Knycht, lauchfully summoned to yis actioun, oftimez callit, and nocht comperit. The rychtis, resouns, and allegatiouns for our souerane lord being allegit and schewin be ye said Maister Adame, the forsaid summondis and punctis yarof, and yai yarwith being at lenth riplie auisit all in ane voice without variance gaif yar sentence, and decreit of parliament, resindand and retretand ye dome of forfaltour gevin agane ye said Jhone Somervale at Edinburgh, ye day and zer above writtin, and fand and deliverit yat ye samin was iniustlie and wrangously led aganis the said Jhone, becaus eftir ye executioun of ye said summondis quhar upon ye said dome was gevin, and before ye geving yarof, ye said Jhone was remittit of all crymes contenit in ye said summondis and dome. Likas his remissioun gevin him yarupoun, schawin and producit in face of parliament, proportit and bure, and yarfor rescindis, retretis, cassis, and adnullis ye said dome of forfaltour, led and

tennents and possessores of his fourtie pund land within Carnwath barronie, and that before the commissar court of Carnwath, it being a collegiat church, and this court a church judicatory, as would appear, it had this priviledge at that tyme, for he gott them acted for payment, which they refuised, wer cursed by the church, therupon supplicatione was given in to the king and counsell upon the twentieth and seventh of Jully, 1526. Wherupon he procures ane speciall war- 1526.
rand from the king, for to distreinzie all the goods of these persones, untill he was payed, conforme to the sentence passed in his favoures. This Cambusnethen attempting to doe, was deforced and stopped by Hugh Lord Somervill, and slaughter made upon the place. Wherupon Cambusnethen reneues his petitione to the lords of counsell; and upon the twentieth and second of August, 1527, he obtains an ample warrand

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gevin aganis ye same Jhone Somervale, and decernis ye samin of nane avale, force, nor effect, with all yat followit yarupon, and reponis, reintegratis, and restoris ye said Jhone till his honour, heretagis, landis, rentis, possessiouns, offices, actiouns, and gudis, movable and vnmovable, siclik and in als ample manere as he was before ye geving of ye said dome, and yat letrez of publication be gevin heirapoun in dew forme as efferis."—*Records of the Parliament of Scotland.*

from them to charge the Lord Somervill, be open proclamatione, att the market crosse of Lanerk, and his complices, for eshewing future slaughter betwext them, to desist from hindering John Somervill of Cambusnethen to putt his letters in executione against his tennents, with certificatione of the highest nature, in caice of disobedience. By this proceeding Cambusnethen was payed, and had peaceable possessione of all his lands within the barronie of Carnwath.

This morsall being pluckt out of the Lord Somervill's hands, he was content to live in peace, makeing now (his brother Lord John being dead) his residence att Cowthally house, which stood within the mosse, and, before this lord's tyme, could be non of the convenientest, in regaird it consisted only of three great towers, not one of them joyned to other. The first was that upon the north next to the moss, directly foursquair; and, by what was standing of it when I saw it, it appeared by the contryvance and rudenes of the workmanship, to be the first building that ever had been there, and of long continuance. The second was that upon the east, looking to the toune of Carnwath, a perfect circle, as the foundatione represents, which is all that is standing of it. The third is that which was

built by William, the second barrone of Carnwath, of the name of Somervill, and stands yet upon the right-hand as ye enter the second gate, looking to the south: it's four-squair, and twice walled, and hes had a double battlement, the first wherof hes gone of the levin of the second vault. All these towers wer joyned only by a barakine wall, and each of them in breadth and lenth had but one spacious roume, one above another.[1] It's likely, by what remaines of two of

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[1] This was the ancient mode of building castles in Scotland. The most simple was a barmkin, or fencible court-yard wall, with a tower within it. Nor do they seem to have had any idea of variety, but merely added one tower to another, as a family increased in wealth and importance. The following edict of parliament throws light upon the architecture of the age:

"Anno 1535. 12mo Junii. Ffor bigging of strengthis on ye bordouris.

"Item, it is statut and ordanit for saiffing of men yare gudis and gere vpoun ye bordouris in tyme of were, and all uyer troblous tyme, that every landit man, duelland in ye inland or vpoun ye bordouris, havand yare ane hundreth pund land of new extent, sall big ane sufficient barmkyn apoun his heretage and landis, in place maist conuenient, of stane and lyme, contenand thre score futis of ye square, ane elne thik, and vi elnys heicht, for ye resset and defenss of him, his tennentis, and yair gudis in trublous tyme, with ane toure in ye samin for himself, gif he thinkis it expedient. And yat all uyir landit men of smaller rent and reuenew big pelis and gret strenthis as yai pless, for saiffing of yare selfis, men, tennentis, and gudis. And

them, they have been four storie high; but how they came to the uppermost roumes passes my understanding.[1] This was the fabrick of the house of Cowthally, when Hugh Lord Somervill begane to build; and I admire, considering the baseness of the stance, the unwhollsomenes of the place, being double ditched, with standing watter about it, and inconveniency of the house itself, being impossible to make it regular, without razeing the wholl to the foundatione, he should not have imployed his money and paines upon a better stance, seing ther was many pleasanter and convenienter stances for a house within the barronie of Carnwath; but, in all probabilitie, the same reasones that necessitat the first builders to place ther habitatione there, moved him to continue his; for countrey feedes was yet in vigour, and banding amongst the no-

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yat all ye saidis strenthis, barnikynnis, and pelis, be biggit and completit within twa zeris vnder yc pane."—*Records of the Parliament of Scotland.*

[1] In some of the most ancient towers there seems to have been no staircase, the inhabitants ascending from one story to another by means of a ladder placed against a hole, or trap-door. And, in other cases, it is plain that the staircase has been no part of the original building, but hollowed out afterwards from the thickness of the corner wall, or inclosed in a turret of later date than the apartments to which the stair leads.

bilitie and gentrie, soe that upon the least offence they wer in armes; and if by inequalitie of number wer really worstit, they wer necessitat to flee, the house itself and its situatione was a sure retreat; for ther was noe possibilitie to approach the same but at two passes, which a few men might easily defend;[x] or because it had been for a long tyme the principall residence of his predecessores, might prove the only motive to perswade him to contryve it soe for the

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[x] Besides the strength of the castle of Cowthally, surrounded on all sides by an impassable morass, and only capable of approach by a narrow causeway, or tongue of land, tradition alleges a superstitious reason for the choice of the situation. It is said that the work was begun by the original founder upon a sloping hill, near the morass in question; but that in a dream or vision, he beheld a spirit transport the foundation-stone of his intended castle to the present site: and finding, in the morning, that the foundation-stone had actually been removed, he accepted of the hint, and adopted the situation, which seemed thus recommended by supernatural revelation. The same story is told of Callaly castle, in Northumberland. As the names are similar, the legend may have been borrowed by the one from the other. To a modern eye, Cowthally requires the miracle most for vindication of the architect. The Northumbrian rhime runs nearly thus:

> Callaly castle stands on a hight,
> It's up in the day and down in the night;
> Build it up on the shepherd's shaw,
> There it will stand and never fa'.

future. Thairfore, in *anno* 1524, he buildes one quarter upward of ane hundered foot, standing east and west, joyning to the north tower, soe that one syde of it made a part of the syde wall of this building. The tower itself being without the house, had three parts of it only seen, the fourth being for a part of the syde-wall of the great house; and had doores strucken through for each storie. The west end of this great building outstreatched the old tower twentieth foot; and upon the south corner had a great round from the foundatione, a part wherof yet standes, and hes served for studies. The east end of this same building came to the old round tower upon the east, which served that corner, and made it conforme to the west tower; but that this tower was much bigger, and served for a chamber. The wholl foundatione of this building, old and new, stood upon sex vaults, and a litle one beneath the south-west rounde. The staircase that served this house was a large turnepyke, placed upon the south, neer to the midle of the building, the shell being round for the most part, was seen without that syde-wall wherupon it was placed. All this great building had in the second storie but sex roumes, in the new building a great hall, wherin the first contained of sex-

tieth foot; a bed-chamber upon each end, twentieth and four foot square, for that was the breadth of the house. Each of the old towers had but one large roume that went of the same flooring; the one of them hes gone of the broad syde of the hall, and the other within the east chamber. That chamber upon the west of the hall had the benefite of a large studie from the round upon the south-west corner of the house. What roumes was in the third and fourth stories may easily be conjectured, for that space and lenth above the great hall being devyded in three, makes nyne roumes in every flooring.

This house being finished, three years thereftir, in *anno* 1528, he drew a long building conforme of a gallery, standing upon seven vaultes, from the south-side wall of the east pud of his new house, the old round tower upon that quarter being without all along the east quarter of the tower, fronting the village of Carnwath, and joyned it to that great squair tower upon the south, and right-hand as ye enter the second gate, which, when it was finished by his grandchild, the last Lord Hugh, for this lord raised the same only two storie high, made two quarters compleat of the court, and of ane equall hight. Before this tyme ther had been buildings upon the west quarter of ane equall hight;

soe by this gallery the court had just three compleat quarters, and was all open to the south, save by a thick wall about fyve elles high, much wherof yet standes, which devyded betwext the inner and outter court, thad had only office houses. The foundationes only now are to be seen; and of the great house of the inner court ther is only standing the west end of the great hall.[1] The chimnay brace which beares the Somervilles armes, with the inscriptione of Hugh Lord Somerville's name, incircleing. Ther is much likewayes standing of that old squair tower that was upon the broad syde of this hall, and hes been certanely the first building in that place. There is likewayes a part of the small round, and some of the schell of the turnepyke yet standing, with a great part of the tower at the second entry, which was built by William, the second Barrone of Carnwath; for the wholl of this building is standing within the syde of a great mosse, upon a green parsell of ground in forme of ane island somewhat longer, the breadth not exceeding half ane aiker, or three quarters, of ground at most, which allowed, to my under-

[1] Brought to Drum in 1698, and placed in the staire caice built in the same year; and, in 1741, placed in Lord Somerville's tower.—*Orig. Note.*

COWTHALLY CASTLE,

in the Parish of Carnwath. The ancient Baronial Residence

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standing, roume neither for gairden or orchyaird. Barren timber ther was, as some liveing assertes;[1] but, to wryte the truth, the house, in it's best conditione, hes neither been staitely nor convenient. Something of greatnes and strenth it had, being double ditched about, and the walls ex-

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[1] From the account of the ruins of Cowthally castle, given in the statistical account of the parish, it would seem that though the trees have been long since dead, the tradition concerning their existence continues to flourish.—" On the west side of the large moss, to the north of the village, on a narrow point of dry land that juts out a little into the moss, are the ruins of Cowthalley, the seat of the ancient family of the Sommervilles, a branch of the Sommervilles of Whitchnor, in England, and which settled in this country about the middle of the 12th century. This family, the most powerful and opulent in this part of the country, were at one time possessed of the baronies of Carnwath and Liberton in Clydesdale, and of Linton in Tweeddale. Sir John Sommerville of Carnwath and Linton was a steady and faithful adherent of Robert Bruce, in the violent and bloody contest he had to maintain for the crown. This castle had once been a place of great strength, surrounded with an excellent deep ditch, and large earthen mound, the entry being by a drawbridge on the W. Tradition says, that it got the name of Couthally (which signifies a warm sheltered walk or avenue,) because at this time there was an avenue from the castle all the way to the village of Carnwath, bordered on each side by full-grown oaks; and what seems to give weight and confirmation to this tradition is, that when this moss is dug to the bottom, large oaks are often found, some of them in a surprising state of preservation, considering the amazing depth at which they now lie."—*Statistical Account of Scotland*, vol. IV. p. 335. The reverend author has mistaken Linton in Roxburghshire, for Linton in Tweeddale, which never belonged to the family.

ceeding thick, as was the use in these tymes; and indeed this was all to commend it; for ther could not be a worse situatione pitched upon, in my judgement, then this for a dwelling. But all the defects of the place was abundantly supplyed by a noble lord and vertueous lady, who, being mother to sex children, three sones and three daughters, brought them up vertueously, and saw all of them provyded for and honourably marryed in her ounc tyme, as eftirwards shall be declared.

King James the Fyfth, from his minoritie, had been tossed lyke a tinnes ball, sometymes under this factione, and then under that, as the power and interest of the factiones of the queen, the Duke of Albanie, and the nobilitie took place. The first that challenged the guardianshipe and tutelage of the king was the queen, to whom it was given soe long as she continued a widow, and followed the counsell and advyce of the chancellor, and uther great counsellers of the kingdome. But in this her governement the people wer ever in motione, mutinous, and delighting in changes, did not long last; for the wholl countrey was in a manner under the command of these four: Alexander Lord Gordoune in a manner ruled and commanded the countreyes

northward the river of Forth; Alexander Lord Home usurped allmost the royall authoritie over the countreyes of the south; the Earle of Angus, by marrying of the queen, would needs be umpeir, and have all matters of state and church disposed of and governed according to his pleasure; James Earle of Arrane, Lord Hamilton, being neerest of blood to the king, could not but with indignatione look upon the undeserved greatnes of these usurpers. "Under the shadow of this polygarchy," sayes Drummond, "turbulent, evill-disposed men, abhorring quyetnes, raised the countrey, and did what they pleased." These contendings haveing at lenth, principally by the continuance of Alexander Lord Home, then great chamberlane of Scotland, brought home John Duke of Albanie, sone to Alexander Duke of Albanie, and brother to King James the Third, whose government being much mistrusted, by these very fàctiones of the nobilitie dureing his sex years regency, he at lenth quyeted the same, and went to France, without any more returning to Scotland. The Duke of Albanie being now gone, the queen assumes the government again with the persone of her sone, leaves Stirling, and comes to Edinburgh, lodges herself and the king within the castle, orders all

things within the citty according to her oune mynde; and, to give the fairest lustre to her actiones, a parliament is called att Edinburgh, that what she did might consist with law. The day on which this parliament should been held, two factiones began again to strugle; that of the queen's, wherin wer the Earle of Arrane, Murray, Eglintoune, with many other noblemen in the west; and that of the Earles of Angus, Lennox, and Argyle, the Archbishop of Saint Andrewes, and others who joyned with them rather out of fear then good will. This bussines was lyke to come to blowes; but at lenth some churchmen interposing themselves, perswaded the parties to a mediatione. Wherupon the parliament sits doune, in which the authoritie of the former governement, the Duke of Albanie, is abrogated, and eight lords wer choysen to have the custody of the king's persone quarterly, every one his moneth successively; and the wholl to stand for the governement of the state; yet with limitatione that the king, by ther counsell, should not determine or ordaine any thing in great affaires, to which the queen, as princes dowager, gave not her free consent and approbatione. The lords that wer choysen wer Saint Andrewes, Glasgow, Aberdeen and Dunkeld,

the Earles of Angus, Arrane, Lennox, and Argyle. But the authoritie of these trusties continued not long; for the state begane of new to be tossed by the troublesome factiones of the queen and the Earle of Angus, untill at lenth the Earle of Angus, notwithstanding that the Archbishop of Saint Andrewes, the Earles of Arrane, Argyle, and Murray, who wer of the queen's factione, laid a plott to accuse Angus upon high treasone. Ther accusationes

Angus made the king

and the other partie

offering to back ther charge with force, resolves to repell force by force. Wherupon he marches out of the toune of Edinburgh, and takes the king alongst with him. Which when the leaders of the queen's factione understood, they reteired back again to Stirling, where they disbanded. This factione discipated, the Earle of Angus remained more assured, and now he findeth noe competitor. Thus, whill the king remained a shadow to the earle's government amidst soe many distractiones, disorders, and jarres of the grandies, ther wer severall attemptes made by the king's instigatione to free him from the power of the Earle of Angus, first by the Laird of Buccleugh, and then by the Earle of Lennox;

but both these being worsted in open feild, and the later killed upon the place, att the conflict which happened betwext him and the Earles of Arrane and Angus neer Linlithgow, in the moneth of September, 1528. But at lenth what open force could not doe, the king performed with this stratageme:

The king, amidst his followers, walkes in his parke of Falkland, considering of what a tedious train he was releived off, the Earle of Angus being now gone from court to visite his oune dwelling place, and to order some of his private affaires, he considered how suddenly occasione might turne her bald scalpe, if presently he took not hold on her. Thairfore he resolves to accomplish by stratagem what the affectiones of his nobilitie could not performe by force. "It is delightfull," sayes Drummond, "to understand every particular circumstance in the progresse of the actiones of princes." Upon this resolutione the king directed the foster of his parke of Falkland to give advertisement to such gentlemen about who keeped houndes, the next morning to attend him, for he would airly have his game. He supped sooner then his custome was, intertaineing the captaine of his guairds with more then usuall ceremonies and representa-

tiones of the next morning's sport, withall inviting him to go to his rest. The night being short, about the summer solstice, the waitters all shifted, and the court husht, shooting his chamber door, in the apparell of one of his groomes he passed the guaird to the stable, where, with two who attended him with spare horses, he posted to Stirling, where, by the queen's intelligence, he was expected in the castle.[1]

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[1] The following lively and interesting account of the king's escape from the domination of Angus occurs in Pitscottie.—"Bishop James Beaton called the Douglasses and the king to the Pasch in St Andrews, and there made them great cheer and merriness, and gave them great gifts of gold and silver, with fair hackneys, and other gifts of tacks and steedings, that they would desire of him, that he might pacify their wraths therewith, and obtain their favours. So the king tarried there a while quiet, and used hawking and hunting upon the water of Edin; till at last the Earl of Angus wearied in Fife, and therefore he asked leave of the king to go to Lothian to see his business, and left with the king Archibald, his father's brother, and George, his own brother, and James Douglas of Parkhead, who was captain to a guard of men that was about the king. But within two days, Archibald Douglas, treasurer, asked leave of the king to pass to Dundee, and do his business there for one day or two; (some say he had a gentlewoman there whom he rode to visit;) and in like manner George Douglas rode east to St Andrews to the bishop to get his tack performed and ended at his hands, as he had promised him before; and left with the king's grace James Douglas of Park-

1528. When the certanty of his escape was noysed abroad, many noblemen repaired to Stirling,

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head, with a hundred gentlemen with him to wait upon the king wherever he past. But when George Douglas came to St Andrews, and remained there meikle of the day in dressing of his business, in the meantime the king passed to the park of Falkland, there to have hounded a deer, and thought in his own mind the time was convenient for him to make himself free at liberty, considering the earl, and George, and Archibald were all absent at that time out of his company. Therefore he unbethought him of a crafty mean to jeopard himself in this manner as after follows: That is to say, he called upon the Laird of Fairny, who was foster of the same wood, and chamberlain of Fife at that time, and caused him to gar warn all the whole tenants of the king's lands and gentlemen thereabout that had speediest dogs, that they would come to Falkland-wood on the morn, to meet him at seven hours, for he was determinate that he would slay a fat buck or two for his pleasure; and to that effect gart warn the cooks and stewards to make his supper ready, that he might go to his bed the sooner, and have his disjoin ready by four hours; and commanded James Douglas of Parkhead to pass the sooner to his bed, and caused to bring his collation, and drank to James Douglas, saying to him, that he should have good hunting the morn, and bade him be timeous; and syne the king went to his bed. Then James Douglas, seeing the king in his bed, wint that all had been sicker enough, and past in like manner to his bed.

"When the watch was set, and all things in quietness, the king called on a yeoman of the guard, and desired one of his abuilziements, hose, cloke, coat, and bonnet, and put upon him, and slipt forth as a yeoman of the stable; and was unperceived of the watches till he had past to the stable, and caused saddle a horse for himself, and one led, and took two

some by letters sent to them, wherof the Lord Somervill was one; others came upon the ru-

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servants with him, to wit, Jockie Hart, a yeoman of the stable, with another secret chamber-boy, and lap on horse, and spurred hastily his journey to Stirling, and wan there by the breaking of day over the bridge, and syne gart streik it behind him, that no man should win that passage but license. Syne past to the castle, and was received there by the captain, who was very glad of his coming, and prepared the castle with all needful things for his coming. Syne gart he steik the gates, and drew down the portcullies, and put the king in his bed to sleep, because he had ridden all that night.

" We will let him sleep in his bed, and return to George Douglas, who came to Falkland at eleven hours at even, who required at the porters what the king was doing. They answered and said, that the king was sleeping in his bed in the secret chamber; and so said the watchmen of the guard that watched him; and George hearing this, past to his chamber to his bed, till on the morn that the sun was up. Syne came the baily of Abernethy, to wit, Peter Carmichael, and knocked at George's chamber-dor, and wakened him, and speired where the king was. George answered and said, " He is in his chamber sleeping." The bailie said, " No, he is past the bridge of Stirling." Then George got up hastily, and put on his clothes, and went to the guard, and to the porters, and speired for the king. They answered and said, he was in his chamber in his bed. Then George went to his chamber and knocked; but none would answer him, for the door was locked, which he danged up, and found no man therein. Then he cried, Fy, treason, the king was gone they knew not where. Some said he was past to Bambrigh to a gentlewoman. Another said he was ridden to Stirling. Then George lap on horse to ride to Bambrigh; but within two miles he met the Earl of Rothes, and shewd him the king was not there.

" Then they past to Falkland again, and took consultation

mor of his evasione; that in a litle tyme the king found himself safe, and far from any danger again to be surprized by the Earle of Angus, or over-ruled by his factious nobilitie. This happened in the moneth of Jully, in *anno* 1528. The king being now in the eighteinth year of his age, takes the governement upon himself, and from henceforth mannadged all affaires, both in church and state, according to his oune pleasure, and a select number of counsellors, all of his oune choyseing. Thir things being of publict concernement, I have passed over with as much brevitie as was possible, seing they are allready spocken to in the life of this king, written by Drummond of Hathorneden. It was in this year that Hugh Lord Somervill became more particularly acquainted with his majestie, by his

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what was best to be done; and sent a hasty post to the Earl of Angus, to advertise and shew him the matter, and how it stood. By this Archibald Douglas came out of Dundee; and then they foregathered all together, viz. the earl, George, and Archibald, and rode altogether to Stirling to the king. But when the king got word of their coming, he sent a herauld of arms to the market-cross, and there, by sound of trumpet, commanded the Earl of Angus, George Douglas, Archibald Douglas, treasurer, with all the rest of their kin, friends, and allies, that none of them should come near the king, within the space of six miles, under the pain of treason."—P. 141.

frequent attending upon the court, which he continued still, by waiting upon his majestie, in the moneth of June, to execute justice upon all persones, theives and outlawes, particularly in Ewsedale, fourtieth and eight notorious ryders wer hung on growing trees, the most famous of which was John Armestrong. Others he brought with him to Edinburgh for more publict executione and example, as William Cockburne of Henderland,[1] Adam Scott of Tuschellaw, named King of Theives.

The year 1530, the king instituted the Col- 1530.
ledge of Justice. Before it was ambulatory, removeing from place to place by circuites; and suites of law wer peremptorly decyded by baillzies, shirrefes, and other judges. When any great and noble cause offered itself, it was adjudged soveraignely by the king's counsell, which gave free audience to all subjects. The king now haveing established this judicatory, and setled the countrey in peace, haveing noe warre abroad, he was pleased to travell through many places of his

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[1] If the tradition of the country may be trusted, Cockburne of Henderland was hanged over his own gateway. His christian name, as appears from his gravestone, was not William, but Peres.

countrey, and setled any differences that might be amongst his subjects; and, amongst others, he brought to a submissione Hugh Lord Somervill and John Somervill, Barrone of Cambusnethen, wherin all differences whatsoever was remitted unto his majesties self, to determine according as he thought fitting. This submissione is dated att Linlithgow, the threttieth of May, 1532. In Jully thereftir Hugh Lord Somervill marryes his eldest daughter, named Janet eftir her mother, upon the Laird of Cookpooll in Annandale, whose sirname then was Murray, and predecessor to the late Earle of Annandale of that name. To this marriage the king being invited, was pleased to honour that solemnitie with his royall presence four or fyve dayes, as may be seen by the book of accompts yet extant. The divertisement his majestie had without doores was halking; being now in the midle of Jully, the poutes[1] wer for flight, wherof they killed many; these feilds not being soe much laboured then as now, yeelded great store, which was the cause the king resorted thither eftirward when he mynded his sport: But the recreatione

[1] The young brood of muir-game.

he receaved in the feilds gave him noe such content as what he had within doores with the ladyes, who, seeing the young king amorously inclyned, allowed him all the liberty that in honour he could requyre, or ther modesty permitt.

Amongst all the ladyes that was there, he fancyed non soe much as Katharine Carmichaell, the captaine of Craufuird's daughter, a young lady much about sexteinth years of age, admired for her beautie, handsomenes of persone, and vivacity of spirit, whereby she attracted all eyes that beheld her, but soe strongly the king's, that most of his discourse was with her, and he took it ill when he was interrupted, soe that all the ladyes and noblemen that was present took notice therof, and gave way to his majestie's courting. I know ther was some malitious tongues then, as there is not a few to this day, affirmes that it was at this tyme, and in Cowthally-house, that the king first procured this ladye's private favoures; but, by ther leave, it is a great mistake, and a most malitious calumnie; for, albeit it be true it was at this wedding he first saw this young lady, and did affect her extremely, beginning then his intrigues of love, yet had he noe opportunity allowed him to obtaine that

which he eftirward receaved att the castle of Crawfuird, her father's house. The Lady Somervill being both vertueous and wise, observeing the king's passione, commanded two of Cambusnethen's daughters, and as many of her oune, being then girles about eleven years of age, in whom the king took likewayes delight to discourse with, never to leave the roume, unles Mistres Katharine Carmichaell came with them, the which they particularly observed. But to put this beyond all cavill, this same lady being efterward marryed upon young Cambusnethen, acknowledged to her mother-in-law, that it was neer a year eftir she saw the king att Cowthally before his majestie obtained any favour from her, but what in civilitie she might have given to any persone of honour; and doubtlesse, if it had been otherwayes, the Lady Cambusnethen would have divulged quickly the same to the prejudice of my Lord Somerville's familie, to which she had noe great lykeing, notwithstanding of ther late submissione to the king, and the civilitie they payed to each other, because of ther neer relatione.

This marriage being over, the king went for Stirling, being waited upon by the Lord Somervill there some few dayes; and now being to re-

turne to his oune house, he comes to kisse his majesties hand. The king told him, with a kynde and pleasant countenance, the great intertainement and fair company he left att Cowthally made him resolve ere long for another visite, hopeing he should be wellcome. Haveing said this, and raiseing him from his knee, the Lord Somervill replyed, what he had at present was by his majestie's favour and the bounty of his royall predecessores, conferred upon him and his foirbearers, of which he was ever myndefull, and therfore was obleidged, as a duetyfull subject, to attend his majesties pleasure in all things, haveing been soe highly honoured by his royall presence at his daughter's marriage that was beyond all expressione of thankes. Upon this he reteired, haveing receaved the particular thankes of all these noblemen and gentlemen that attended the king dureing his residence att Cowthally. Being returned, he lived at home untill the later end of September. Upon Saturnesday at night the king lighted att his house with Robert Bartone, who was in speciall favour with him, and eftirwards made thesaurer, James Hamilton of Finhard, who likewayes before his death was thesaurer, and likewayes master of the king's works, Oliver

Sinclair, a brother of the house of Rosseline, Sir David Lindsay of the Mount, Hendrie Kemps, Robert Gibb, master of the king's stables, George Steill, John Monteith, Thomas Foulls, and James Aikenhead, keeper of the king's coffers and his gold, and John Tennent, (eftirward Laird of Cairness,) a domestick and wairdropper to the king, who personated (four years eftir this) his majestie, as he travelled incognito through France in suite of his queen.[1] These, with other

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[1] Most of these officers of the king's household are mentioned in the poems of Lindsay and Dunbar. Concerning James's journey to France incognito, we have some curious, though libellous particulars, in the letters of John Penman, a retainer of the Earle of Angus, then banished and in disgrace. He also mentions most of his attendants.—" As for tydyngs I here to be trew, notwythstanding, as I am informed, the king wyll not have the duke's daughter. He is yit up at Lyons, or els at Rowane, a yissid [as is said], I here say he is sumwhat a crased. He is the werst spoken of man, namely, of his owen, both menyons and gentlemen, wher the dar speke it, that is in the universall world. He hath beggert all Scotland, as they saye, or he cum out of it. And nowe beyng here, orderyng hymselfe so folyshelie, with aservannd or ii, runnyng up and downe the streats of Paris, bying every tryffell hymselfe; he wenynge no man know hym, wherfor that every carter poyntyd with ther fynger, saying, yondre goyes la Roy de Escoisse. Sum saye he wyll desyre the kyng of Fraunce's doughter; other sum sayes he wyll desyre nocht els but Dunbarr, a schepp, and ii or iii horsses. He haith sent Rychyt Carmechell into Scotland, with wryttyngs and tokens to the Laird of

seven, wer only his majestie's retinue when he came to Cowthally. This surprizeall might have startled any other albeit good housekeepers, but was all one to this lord that keeped soe plentifull a table, and had soe provident a lady, that upon all occasiones gave evidence of an excellent house-wife. The Lord Somervill told the king, he was only sorry he had not advertisement of his majestie's comeing, that himself and his freinds might have waitted upon him; but he was soon made to understand the king's comeing incognito, and would admitt of noe more company save himself and other two besyde these that came with him. By this and some other circumstances, he guessed some part of the king's earand, who dureing supper asked severall questiones at the Lord Somervill (stand-

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Lawghtleven's wyfe; wharfore other sum sayes he wyll have her. Every man is wery with him; they wissh him under the grounde; the swere he can not contynew. No man can tell how sone he cumys be post, to put his fute in a shepp, or taryes all thys wynter. Ther ys with hym Olyuer Sinckler, Robert Gibs, Andrew Wood, John Talland, and James Maxwell of Rowen, and Monsieur Esturmaill, the steward of the Duck of Vandom's house. George Stele and his chapell is in Rowen; John Drumond, Henry Kempt, with all the resydew, ys in the New Haven.—PINKERTON'S *History of Scotland, Lond.* 1797, vol. II. p. 490.

ing behind his chair) anent the captaine of Craufuird, his qualitie, conditione, and what he might have in estate and by his office. Wherin being resolved soe far as my lord knew, the king took occasione first to regrate the meannesse of his fortune, and the smallnesse of his sallary; and eftir some spaces, began to praise his daughter's breeding and beautie with some transport, at lenth insinuate as much by his discourse that he would see to the bettering of the father's estate, and advancement of the daughter. Eftir supper the king held a long discourse with the Lady Somervill in his oune bed-chamber, which was named eftir him soe long as the house remained in it's integrity.[1] What the import of ther discourse was these that wer present did but guesse, for they stood at some distance; however, it appeared the king was very pressing to obtaine some promise of her, which, with much civilitie, she begged his majestie pardone; and at lenth, somewhat loud, of purpose to be heard, and to be free from the king's importunity, spocke thus: "Sir, her father's house is much fitter, where your majestie may expect kynde well-

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i. e. Preserved in the same state in which he used it.

come, being proprietar of the same, in honouring that familie with your royall presence." Upon which the king called the Lady Carmichaell, that was next to them, and said, " Your nighbour here, the Lady Somervill, is the most courteous, or rather most scrupolous, persone under heaven for another concerne; but I will have my revenge in being often her guest, to eat up all the beef and pudding too of this [country.]"

Airly upon the sabbath the king caused the Lord Somervill send a horseman to Craufuird castle, to advertise the captaine he would be there against night; and withall forbade to make any great provisione, seing his train would not exceed a duzone. This advertisement was soe unexpected and short, that the captaine knew not what to thinke of it; however, he caused putt all things in the best order that might be, and prepared for the king's comeing. But ther was non soe much surprized with the newes as the young lady, the captaine's daughter, who, suspecting the king's carrand from what she had mett with from him at the marriage in Cowthally, she could have wished herself not only out of her father's house, but out of the world. Soe much terrour and affrightment did seize up-

on her persone, that she knew not what to resolve on. Some tymes she thought it fitt to acquaint her father and mother with her feares; and then againe, without acquainting them with her thoughts, to slip doune to Lamingtoune-house, or the toune of Douglasse. But as modesty tyed up her tongue from the first, soe the shortnesse of tyme, and [the want of] anc handsome pretext, hindered the later; for it was not possible to have keeped the knowledge of her removeall that day from the king, which might have incensed him exceedingly against her father, the greatest part of whose fortune was mostly at that tyme at the king's disposeing, as heretable keeper of the castle of Craufuird. Thus, unresolved what to doe, or how to carry towards the king, in great trouble of spirit, poor lady, she remained in a carelesse dresse untill his majestie's arryveall.

The king, haveing breakfasted and heard messe att the colledge church of Carnwath, made foirward on his journey to the castle of Craufuird, being accompanyed with non but the Lord Somervill and these few he brought from Edinburgh with him. He was mett by the captaine of Craufuird with some horsemen, some few myles on this syde of the castle, with whom he

discoursed familiarly untill ther arryveall at the house, where his majestie was receaved at the gate by the lady and two of her daughters. What intertainement his majestie receaved from the captaine and his lady, and kyndenesse from ther beautifull daughter upon his amorous addresse to her, is noe part of that which I have in hand; yet I am apt to believe, from severall circumstances and papers that I have seen, that this interview proceeded noe farther then to useher the way and give opportunitie to these more particular and privat favoures his majestie receaved eftirward from this lady in the same house. Whatever wer the intyseing motives that prevailled over her vertue, and brought her to the king's imbracement, was best knoune to herself; and although noe act of this nature be warrantable before God, yet much may be said to take off the reproach, and justifie her to the world. It was her king, not a subject, that made love to her; a gallant young prince, for persone and parts the world then had not the better; laying asyde his dignitie and that supreme orbe wherin he moved. One of meaner degree, with half of these qualificationes wherwith this royall king was indued, might have prevailled much upon the budding affectiones of a tender virgin,

unacquainted with the blandishment of great ones, and the intertainements of a royall court, wherinto your court ladyes are soe accustomed to addresses of persones of eminency, that they can putt off or conferre ther privat favores as ther interest or inclinatione leades them; and yet if they trip, you shall not know it, or if you doe, you must not divulge it, unlesse you be desperately resolved to forfault both your life and fortune to the fury of ther amoures. Besydes these inducements and her father's interest, she might have before her eyes the example of Elizabeth Moore, Rowallane's daughter, who bare to King Robert the Second three sones, long before her marriage; and at lenth, notwithstanding of the king's haveing two sones in marriage by the Earle of Rosse's daughter, she dying, and herself taken to be his queen, her sones was reputed and declared righteous successores to the croune, and that by consent of parliament.

These reasones, with the splendent aspect of royall majestie, backed with a soveraigne power, might prevaill much upon this innocent lady, and inclyne her to a complyance, as not weill knowing how to refuise the kynde offeres of soe obleidgeing a prince, the effects wherof, in four

yeares tyme, made her mother of two boyes and ane daughter to the king, both of them eftirward, in Queen Marye's reigne and King Jamese's, made earles, the one of Orknay[1] and the other of Bothwell; and for the daughter, she was nobly marryed to the Earle of Argyle, being ever in great favour with Queen Mary dureing her reigne.

The king haveing continued att the castle of Crawfuird untill Tuesday, he goes unto Biggar, and from thence he comes to Peebles, accompanyed only with these that had waitted from Edinburgh upon him, and these that attended the Lord Somervill, who was still with his majestie dureing the tyme the king resided att Peebles, which was two dayes. Haveing there appoynted a Justice Air for the tryall of some malefactores, here his majestie's being in the countrey was first divulged and publictly made knoune, wherupon a great confluence both of

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[1] This is a mistake. Robert, Prior of Holyrood-house, afterwards Earl of Orkney, was natural son of James V. by Euphemia, daughter of Lord Elphinstone. By Katharine Carmichael the king had, as is mentioned in the text, John, Prior of Coldingham, who, by marrying the heiress, and by the favour of the crown, obtained the honours and estate of Bothwell; as also Janet, married to the Earl of Argyle.

nobilitie and gentrie comes to waitt upon him. Then the king, with demonstrationes of great favour, dismissed the Lord Somervill, that his privat progresse which he had made might be the lesse knoune or suspected, who being returned to Cowthally, settes himself about the ordering of his privat affaires. Ther being now, eftir some litle stirrings betwext England and Scotland, mainly upon the Earle of Angus' accompt, who was then banished, a peace concluded betwext the two realmes, dureing the two princes lyves, and ane year eftir the decease of him who should first depart this life; by reasone wherof, and the peaceable reigne of this king, untill the very last year therof, ther had not been any tyme wherin might have proven ther privat fortunes more then from the year 1530, untill the year 1542, which was the year of this king's death. But albeit the state was in
1533. peace, yet, about this tyme, ther begane a warre in the church, which continued untill this day; for in this year, in the isleand of Brittane begane the sectaries of the ecclesiasticall doctrine and authoritie to be laid open to the view of the world, the pollitick governement of kingdomes begane to suffer in the alteratione and discovery, which being obvious to all that will peruse the

histories of the severall nationes of Europe, and particularly that of our oune, in soe far as concernes the church and state affaires, written by that learned prelate Bishope Spotswood, who is soe full and copious in all the concernes and transactiones of these tymes, that ther cannot be a farther discovery made; and it wer great impertinency and vanitie in me to resume any thing that is written by that author, who am but recording the memories of a privat familie.

In the later end of the year 1536, the Lord Somervill haveing three years before setled his eldest daughter, marryes now his second, named Marjorie, eftir his mother, upon the Laird of Drummelzeor, the cheif of the Tweedies, as eminent a barrone, and of as great command as any in Tweddale. To this marriage his majestie in a manner invited himself. Being now resolved to repaire the reputatione of his beloved mistres, and provyde for her future liveing and honour, himself at this tyme designeing to match with the house of France. Wherefore being come to Cowthally the thretteinth day of November, 1536, dureing the tyme of this marriage his mistres Katharine Carmichaell being there, and now in the twentieth and second year of her 1536.

age, the king profferes severall marriages to her of these that wer his wairdes at the tyme, but she rejected them all, haveing allready placed her affectione upon young Cambusnethen, then present att this marriage, ane eminent barrone, both for qualitie and estate, honourably descended, being a grand childe of the house of Montrose, and the second great branche of the house of Cowthally, inferior to non at that tyme upon Clyde for respect and worship. What course the king took to accomplish this marriage, or what portione Cambusnethen receaved with her, I know not, but it is certane, as this lady was fortunate, soe was young Cambusnethen most happy in this marriage. Never two lived more contentedly then they did; and ther was all the reasone in the world for it, laying aside her beauty, then in the prime, being in the twentieth and second year of her age. Her virtue and modestie was so conspicuous to all, that in a few years she became a paterne to all her nighboures ladyes for thrift and good house wife; and albeit ther was many invitationes given her to appear att court, dureing this king's reigne, for her husband's advancement and her oune honour, being the mother of two sones and one daughter to the

king, yet lent she ane deaff ear therto, and was offended with any that was urgent in her goeing to court upon these grounds, asserting she had honour enough in being Cambusnethen's lady, and her husband a sufficient estate to maintaine him in the ranke and qualitie he was in then. Neither doe I find that ever the king saw this lady eftir his oune and her marriage but once, and that was at the baptisme of her eldest sone, at Cambusnethen, whose name his majestie was pleased to take to himself, by calling him James, all preceeding of that familie being named John; and this occasione fell out more then a year and a half eftir her marriage. Severall other children, in thretteinth years tyme that she lived with Cambusnethen, she bore to him, but ther names I find not, except of two sones and one daughter. Her eldest sone being James, was nicknamed the Laird with the Velvit Eye, the other Robert. Her daughter, falling under the hands of a step-mother, was meanly marryed to Gawin Hamilton of the Nether Hilles. Thus far I have digressed in vindicatione of this excellent lady, that it may appear it was nether her choyse nor any vitious habite that prevailled over her chastitie, but ane ineviteable fate that the strongest

resistance could hardly withstand.[1] Her Testament I have by me, dated the tenth of March, 1550, which was the year she dyed in, and declares her to be also much a good Christian, as it confirmed all that was said of her vertue and frugalitie.

The king being gone to France, in order to his marriage, wherin severall of the nobilitie did accompany him, the Lord Somervill remained att Cowthally, and continued his wonted hospitality to all comers; but haveing heard of the king's being at sea, and that his majestie was shortly expected in Scotland with his young queen, he came with others to attend his landing at Leith. Before this the king had sent and desyred the lords of his secret counsell to advertise such of the nobilitie as mynded to waitt upon the queen, or visite the court at first, to putt themselves and servants in better equipage then was in use in that age, and withall to conforme themselves somewhat both to the fashiones and customes of more civillized nationes. These di-

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[1] This is anticipating the indulgent maxim of Prior:

"That when weak women go astray,
"Their stars are more in fault than they."

rectiones of the king's most of the nobilitie observed; but ther was non soe punctuall of his majesties commands, and exceeded in sumptuous cloathing, then Hugh Lord Somervill; albeit he did it upon designe, yet himself, his posteritie, yea, and this present Earle of Carnwath, or whosoever shall be proprietar of the lands and barronie of Carnwath, suffered for this frollicke, in being lyable for ane yearly annuitie of three score punds Scots out of that barronie to the world's end, the same being mortified[1] by to the Magdalen Chappell.[2] I was once of the opinione, that this had been done upon some religious accompt, by one of the barrones or lords of the house of Cowthally, untill I saw the mortificatione; and then I understood this Lord Hugh had borrowed money from and given him a propper

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[1] Granted in mort-main.

[2] The clothes and livery must have been sufficiently sumptuous, when an annual grant of this extent was only adequate to their value. This was with a vengeance

> " a bond entered into
> " For gay apparel 'gainst the triumph day."
>
> SHAKSPEARE.

wodsett, which he eftirward mortifieing to the said chappell, Lord Hugh ratifies the same by his consent to remaine for ever, and soe it continues till this day.

1537. The king and queen being arryved att Leith upon the twentieth and nynth of May, in the year 1537, it is reported that eftir the queen putt her foot upon the shoar, upon her knees she kissed the ground, praying for all happinesse to the countrey and people. Never a queen, in soe short a tyme, was soe beloved of her husband, nor sooner made conqueist of the hearts of her subjects; but she lived not many weekes eftir her arryveall in Scotland, when of a fever she contracted in June, and departed this life in Jully thereftir.[1] She was buryed, sayes Drum-

[1] "And when the queen came in Scottish ground, she bowed and inclined herself to the earth, and took the muilds thereof and kissed; syne thanked God that he had brought her safely through the sea with her husband to their own country; syne past to the abbay of Holyrood-house, to the king's palace, there to remain till her triumph of entress was made, which began to provide in all parts of Scotland; and specially in Edinburgh, Leith, Dundee, Breichin, Montrose, Aberdeen, St Johnstoun, Stirling, Glasgow, Air, Lithgow, St Andrews, and Cowpar in Fife. Thir worthy and principal towns that were commanded to make provision and triumph for the king's coming and his receipt; but nevertheless their joy was soon altered, and merriness turned to sadness and mourning, for displeasure of the

mond, with the greatest mourning Scotland ever, till that tyme, was participant of, in the church of Hollyrude-house, neer King James the Second. However this great change of the court from mirth to mourning, yet had all the nobilitie complyed with his majesties desyre in being sumptuous in ther apparel when they appeared att court. The Lord Somervill made noe great haste to waitt upon the king, of purpose that he might be more particularly taken notice off and observed by his majestie, which accordingly succeeded; for as he passed the great portch, which is now the Duke of Hamiltone's lodgeing, to enter the palace of Hollyrude-house, the king by accident (being then ten in the morning) standing at that great light in his oune bed-chamber, directly opposite to that entry, when the Lord Somervill was comeing to kisse his hands, the king, at first not knowing him, admired whom it

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queen; for she departed that same day forty days that she landed, being the fifth of July; and therefore all ther great blythness and joy of her coming was turned in great mourning; and all the play that should have been made was all turned in soul-masses and dirigies; where through there zeid such mourning through the country and lamentation, that it was great pity for to see; and also the king's heavy moan that he made for her was greater than all the rest."—PITSCOTTIE, p. 159.

could be soe brave in his cloathes, and had noe attendance at his back save two pages in rich livery; the king called the Earles of Argyle and Huntley, and enquyred at them if they knew who it was, but they could not resolve him. Wherupon Sir James Hamilton advanced, and looking out, informed that his majestie was weill enough acquainted with that persone, and would quickly know him when he made his addresse. By this tyme the Lord Somervill was entered the chamber of presence which the king had reteired to, and now comeing to kisse his majesties hands, the king prevented him before he had gotten one word spocken, in raiseing him up said, "My lord, you are very brave;[1] but where are all your men and usuall attendance?" The Lord Somervill, in kneelling again to kisse his hands, quickly answeared, "If it please your majestie, here they are," poynting to every lace that was on his oune and his pages' cloathes. Insinuating as much therby as if he had been necessitat to sell them all to the merchants for that rich suite. Whereat the king laughed heartily, and then viewed them exactly, which, when

[1] *Scottice* for gallant in apparel.

he had done, he bad away with them all, and let us have your men againe. All the noblemen was glad of this occasione, and made good company with the Lord Somervill, giving him thankes that ther brave cloathes had gotten ther leave, for undoubtedly the effects would have been what he had presaged to the king. This very suite of my Lord Somervill's, which occasioned all this sport, was keeped by his sone, Lord James, his grand-childe, Lord Hugh, and his great-grand-childe, Hugh Somervill of Drum, untill by accident the house was brunt, wherewith his steell coat, his head-peace, gantlet, gloves, and all other furniture used in warre in those dayes was brunt.

I find not much more of this nobleman untill the year 1540, in which he marryed his eldest sone James, master of Somervill, upon Agnes Hamiltoun, daughter to Sir James Hamiltoun of Finhard and Evendale, thesaurer of Scotland, then in great favour with the king, who was pleased to honour this marriage with his royall presence, att the castle of Craignethen, where the marriage was solemnized, as he did some few monthes eftir the infare att Cowthally-house, it being now the third tyme that I find, by the 1540.

baillzie and master houshold's compt-bookes, that his majestie upon such solemne occasiones had been intertained att Cowthally-house, besydes his comeing more privatly, upon the account of his sport. This marriage being made mostly upon court interest, continued not long; for Sir James Hamiltone of Finhard, who besydes and before this interest had allwayes, from his very youth, been a constant freind to the familie of the Lord Somervilles, unhappily fell under the king's displeasure; and, in the year 1541, being suspected of some practise as alleadged against the king's life, was execute and foirfaulte, and the gift therof, soe farre as concerned the fourtieth pund land of Libbertoune, given to the Lord Somervill, which he retained but some few years, the sone of Sir James being restored by the Earle of Arrane, in the tyme of his governement.

541. Cardinall Beatone ruleing now all affaires both of church and state, as did Oliver Sinclaire, a brother of the house of Rosseline, and relatione of the house of Cowthally. The king's privat favourite, being his great minion, guyded all things at court, which discontented most of the nobilitie, and made them backward to all the

king's designes, which occasioned that speech of his majesties in calling them his *mobilitie*.[1] What this word may import I am yet to learne. However, the expeditione against England being now on foot, some of the nobilitie ingadged, wherin, amongst others, James, master of Somervill, made one. I know both the English and Scots wrytters designes him Lord Somervill, but this is only a mistake in the title, by giveing that to the sone which was yet the father's; for albeit he outlived this actione eight years, yet it is not probable he could be there, being then in the sextieth year of his age; and if he was, which I am not apt to beleive, it testifies a strong desyre he had to comply with his prince's designe, and give exact obedience to all his commands, in exposing his old age to the hazard of a dangerous warre.[2]

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[1] Alluding, it would seem, to the fickle and inconstant demeanour of the Scottish nobles.

[2] There is no room for doubt upon this subject. Hugh Lord Somerville certainly was made prisoner at Solway Moss. He was entertained in an honourable captivity in the house of the lord chancellor, according to the hospitable custom of those times; and from the list of the captives and their pledges, published in Lodge's Illustrations, we learn that his ransom was rated at 4000 merks, for which he lodged pledges with the Earl of Warwick.—See vol. I. p. 37. In the subsequent treaty his ransom was lowered to 1000 merks. But when Lord Somerville was dismissed, he was forced to leave his eldest son in

Whither father or sone, haveing given my thoughts, I will not contend, seing the wrytters of both kingdomes are positive that the Lord Somervill was prisoner att Sulloway; but this I am sure off, he was detained prisoner[1] three years, for adhereing to the French interest, when all the rest of the noblemen that was prisoners for accepting the match with England was set at libertie by Hendrie the Eight.[2] This same year

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pledge for his return, as appears from a passage in Sadler. This circumstance probably occasioned the mistake in the text.

[1] Lord Hugh was this prisoner.

[2] The battle of Solway Moss was fought 24th October, 1542; and upon the 20th March following we find Lord Somerville was returned to Scotland with the other nobility. He was therefore certainly not detained three years in England; and that he was not more restive than his companions in embracing the proposal for the English match, between the infant Mary and Edward Prince of Wales, will appear from the following conversation, narrated by Sadler, the English ambassador :—

"After supper, came to me to my lodging my Lord Somervail, and told me, 'That things had not succeeded in all points as he thought, and would they had; but yet there was no doubt but all should well be.' I prayed him to tell me how, and in what sort, he, with the rest of the lords and others that were with your majesty, had proceeded since their home coming. He told me, 'That they were not all of one sort; for the Earl of Bothwel was slipt from them, and calleth them English prisoners, and the Lord Fleming not all the best; but the Earl of Angus, though he be too much led and directed by his brother George, was perfect good and assured, with also the Earls of

I have seen a charter of confirmatione granted by Hugh Lord Somervill and Dame Janet Maitlane, which confirmes me that it could not be the father, but the sone, that was at Sulloway,[3] in favoures of a young gentleman, James Somer-

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Cassils and Glencairn, the Lords Maxwel and Gray. The rest,' he said, 'were but mean personages; and before they came home,' he said, 'there was a governor chosen, which somewhat changed their case.'

"And now,' he said, 'the ambassadors were despatched to go to your majesty with ample power to conclude the marriage and the peace; which done, all shall be well.' I asked him whether they had also concluded that the child should be brought into your majesty's hands? He answered, 'that he and they which stand on your majesty's part, would fain have had it so, but the rest of the great lords (which were a great number) would not agree to it; but he trusted that some mean would be devised therein for the time to please your majesty, and the rest would also succeed in time.' I asked him how they would conclude a peace with your majesty, that might ever stand valeable to both their realms, when by their league with France they are bound to the contrary, without reservation or exception of France? Quoth he, 'We will utterly leave them, and go with you against France, which we may do without offence of the league, for they have broken with us many times, as we be able to prove. And,' quoth he, 'I would wish to God that the marriage were once contracted, for that shall bring all the rest of the king's purposes to pass, which cannot otherwise be accomplished without great cumber; and,' he said, 'all the lords of your majesty's part were of the same opinion.' This was communicated in effect."—SADLER's *Letters, vol. I. p. 72, quarto, Edin.* 1809.

[3] The author was not aware that Hugh Lord Somerville was dismissed into Scotland, and his son substituted as a pledge in his room, who most probably remained there for two or three years.

vill, who haveing marryed the relict of the Laird of Gladstones, that had left only a daughter as the heires of his estate, upon whom James, the sone of Thomas, was marryed; and thereby the estate and land of Gladstanes came to the name of Somervill, and continued soe untill this present in a very hopefull conditione.

King Hendrie the Eight being incensed with his nephew, King James the Fyfth, for not meeting with him according to ther mutuall promises, caused make pryzeall of some Scots ships, before ther was any laufull warre proclaimed; and further gave orders to Sir Robert Bowes, the Earle of Angus, and Sir George Douglas, in hostile maner to invade Scotland. These, to the number of three thousand, ravage the countrey near the debeatable boundes. The Earle of Huntley, having the king's commissione, assembles the borderers, and falles upon the English and these Scots that wer with them, att a place named Haddenrig, beats them and puts them to flight, and takes ther generall, Sir Robert Bowes, Sir William Murray, James Douglas of Parkhead, with a naturall sone of the Earle of Anguses, was taken prisoners, the Earle himself escaping by the swiftnesse of his horse. This skirmish fell out the fourteinth day of August, 1541. King Hendrie hearing of the defeat, sendes the old

Earle of Northfolke, whom he named Rod of the Scots, to invade Scotland with ane armie, whom the Earle of Huntley, upon advantages of places, resisted the best he could, when they essayed to crosse Tweed. In the mean tyme he advertises the king, who quickly raised from all quarters of his kingdome threttieth thousand men, and mustered them upon Soutrasyde, and then encampes them upon Falla muire, where he receaves intelligence the duke designes his march for Edinburgh. Wherupon the king sends the Lords Home, Seaton, Areskine, with a detatchment of ten thousand men, to reinforce the Earle of Huntley's forces; but with expresse orders not to fight, but to attend the duke's motione, himself expecting the artillarie and other furniture of warre, remained with the bodie of his armie in the campe att Falla. Dureing this tyme the discontented lords plotted a reformatione of the court, according to the example formerly practized att Lauder Bridge against King James the Third; but because they could not agree amongst themselves, the king's favourites escaped the danger.

The Duke of Northfolke haveing intelligence 1542.
of such that favoured King Hendrie in the Scottish campe, that the king had a mynde to meet him in open feild, reteires off the Scottish ground,

and keepes his fforces in ther oune marches, fearing the valour and resolutione of this young king might perhapes bereave him of his former purchased laurelles. When the king understood the duke had repassed Tweed, he encouraged his army to follow him. The common souldiers wer willing; the noblemen refuised to fight except upon Scots ground; ane old pretext used by ther predecessores, when they wer discontented with ther king and his governement, which in effect was frivolous, and lost them many fair opportunity, as it did at this tyme. It is true, they gave other reasones for ther refuisall, which you may see at lenth in Drummond. However, the king returnes to Edinburgh, disbandes his armie, but forgettes not the secret plott against his favourites, nor the open refuisall of his nobles to fight in English ground. This bred ill humores in the king towards his nobles, which to mollifie and discusse, the Lord Maxwell offereth giveing him ten thousand men to invade England att Sulloway, affirmeing the staite and fortune of these who assail to be better then thers who are still putt to ther defence. The king thanked him for his offer, appointed a rendezvouze at the west marches. Noe proclamationes are divulged for lives of men, but closse letters sent to the Earles of Cassilles and Glencairne; the Lords Fleym-

ing, Somervill, and Areskine; Barrones Aytoune, Langtoune, Ormestoune, and Wauchtoune. Many other, accompanyed with the king's domesticks, rode to the west borders. In the mean tyme the cardinall and the Earle of Arrane, the one a churchman of a mynde above many nobles, the other a nobleman of humilitie under any churchman, (sayes Drummond,) to amuze the English, and give false perspectives to these proceedings, by sound of trumpet and beatting of drumes, raises men openly, marches towards Heddingtoune and the east borders. The great expectatione the king had of the Lord Maxwelles undertakeing made the king himself come to Lochmaben to attend the event of this incursione. The Scots borderers haveing passed the watter Eske, burnes certane villages on the marches. Wherupon Sir Thomas Warringtoune,[1] wairden, was not a litle troubled at such a frequent assembly of the Scottish riders. He raises the power of the countrey, and placed them by a litle hill in good order, where he might take a view of the enemies forces. The Scottish lords beholding the English in soe good order, desyres

[1] Wharton.

to know the king's lievetennent-generall, for now he was to marshall ther companies, and putt them in battallie, that every man might know his particular charge. Wherupon Oliver Sinclaire, upon crosse pickes, mounted the king's banner displayed, the commissione read, in which he is made lievetennent, and all commanded in the king's name to obey and follow him. Upon this a tumult and confused clamour and shouldering of malcontents arose; ther rankes wer brocken, the militarie order turned into a confusione, non soe repyneing as the Lord Maxwell, who being the first mover of this expeditione, considered himself hereby affronted.

The English, who wer ready now for the fight, observeing this disorder, took the advantage, and breakes forward with a military shout; whill the Scots are in doubt whither to flee or fight. Here is a general surprize; most part willingly rendered themselves to the English without any shew of defence, or the slaughter of any persone upon either syde. The certainty of this voluntary defeat comeing to the king at Lochmaben, soe astonished all the powers of his mynde, that he nether had counsell nor resolutione what to follow. Comeing to Edinburgh, he passed to Fyffe, and from Hallyairds to Falk-

land, where he gave himself over to sorrow. Noe man had accesse unto him, noe, not his oune domesticks. Long watching, cares and passione, abstinency from food and recreatione, had soe extenuate his bodie, he remained fixt to his bed untill the thretteinth day of December, 1542. He left this world in the threttieth and third year of his age, and threttieth and second of his reigne. See his character in Drummond. All that I have to say is, that ther was never any subject had more of his prince's favour and lesse of his benefites, then the Lord Somervill had of this king, notwithstanding that he had been frequently intertained by him as his guest. It is true, the honour was great in haveing his majestie witnes to the marriage of three of his children, and that he took upon himself to be a mediator and composer of all differences and contraversies that was betwext this lord and the laird of Cambusnethen, as may be seen in the submissione to this king, and his majestie's decreit arbitrall in *anno* 1532. Which decreit was eftirward made use of by the lairds of Cambusnethen in ther defence against the Lord Somervill, when he persewed for the redemptione of the lands in Louthian.

James, master of Somervill, being returned 1545.

from his captivitie out of England this year, 1545, his father, to congratulate his sone's returne, in June marryes his youngest daughter, who in Apryle preceeding had been contracted upon the Laird of Carmichaell, governour of the borders, in king James the Sexth his minoritie, and dureing some part of his reigne, in which imployment he continued untill his death.[1] It was

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[1] The author either was ignorant of, or suppressed, his ancestor's share in the intrigues for bringing about the match with England. Sadler, an excellent judge of mankind, seems to have entertained the highest opinion of Lord Somerville's talents, and frequently advised with him during the course of his intricate negociation. He always represents him as faithful to the English interest. The following observations conclude a conversation which Sadler held with the Earl of Cassilis and Lord Somerville.—" For our part, quoth they, we be resolved to meet here altogether, at such time as we think we shall hear word again from the ambassadors. And then if we perceive that the king's majesty stands upon any reasonable point that we have promised, we shall do that lies in our powers to satisfy his majesty, and let him be reproved that shall fail his promise. This, I assure your majesty, the Earl of Cassils spake very frankly, and the Lord Somervail affirmed the same. I take them both to be very plain and true gentlemen to your majesty; but I fear their power, as I can perceive, accordeth not with their good wills. Once, they will serve your majesty to the uttermost they can against all nations, as they have affirmed unto me. And the Lord Somervail, as he was going from me, whispered in mine ear, ' That if your majesty did stand fast upon your promise, there was no doubt you should obtain it, for they were not able to maintain the wars against your

at this marriage that Hugh Somervill, youngest sone to Hugh Lord Somervill, gained the affec-

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majesty."—SADLER'S *State Papers, Edin.* 1809, 4to. vol. I. p. 97.

Neither did this attachment to the English cause go unrewarded, for Lord Somerville was gratified with no less a sum than two hundred merks out of the money distributed by Sadler among those nobles who had embraced his master's interest. In return for this donation, he obliged the ambassador with his advice on the best mode of invading Scotland by sea and land.—SADLER, vol. I. p. 178. When the Earl of Lennox, then in the French interest, garrisoned the castle of Dumbarton against the governor, Somerville attended the army which was assembled for the reduction of that important fortress. Even after the governor had revolted from the English interest, Somerville, with Angus, Glencairn, Cassilis, and Maxwell, entered into a bond to abide by each other, and signified to Sadler their determination to see the treaty with England performed, or otherwise to serve Henry according to their promise, to the uttermost of their power. And at a meeting of these associated barons, held at the castle of Douglas, in October, 1543, they resolved to dispatch Lord Somerville to England, to treat with Henry on their behalf. But in attempting this journey he was made prisoner by the opposite party, and confined first in Edinburgh castle, and then in that of Blackness, upon a charge of having accepted a commission from the confederated lords to the court of England, treating of treasonable matters. To the honour of Lord Somerville it should be mentioned, that his letters having given him credence for what he was to state verbally, no threat of the governor, though the torture was spoken of, could make him betray the trust reposed in him, so far as it did not appear from the papers seized on his person.—See SADLER, vol. I. p. 201, 289, 297, 327. Lord Somerville was probably released from confinement when Angus, Maxwell, and the other lords of the English faction, who

tione of a daughter of Drummelzeor's, who had accompanyed her sister-in-law to this wedding, upon whom, with the consent of all her freinds, he was aftirwards marryed, and had from his father, as his patrimony, the Spittell Maynes, the third of Newbigging, four oxengate of land in Ranstruther, with severall other roumes within the barronie of Carnwath. This gentleman was the first of the house of Spittell, whose sone marryed a daughter of the Earle of Monteithe's, and his grandchilde a daughter of the house of Stainbyres. It continues in the male lyne untill this day, the gentleman who is now possessor therof being the fyfth from Hugh, the youngest sone of Hugh Lord Somervill, not compting two other brothers, the one wherof, named William, that was killed by the Livingstounes of Newbigging, and left noe male successione; and the other, William, the uncle of him who now is, that was never marryed.

I have litle more to say of this nobleman, but that in the later end of his dayes he saw the

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had also been seized by the governor, were set at liberty, after the violent proceedings of Henry, and the burning of Leith by his army under Hertford, had united the Scottish nobility of all parties in opposition to his views.

house of Cambusnethen in its meridian, by ther oune and ther daughter's marriages, of whom I will have occasione to speak more in his sone, Lord James his memorie. All his children being now marryed and setled in ther oune houses, except his second sone John, of whom I have noe certanty to wryte; for that conjecture of his being marryed in England with a very ancient familie, and that it was he who, in *anno* 1571,[1] being instigated by one Hall, a seminarie preist, attempted to murder Queen Elizabeth, for which being imprisoned in the Tower, he was found dead the day before he should have been execute. It is true, ther was a gentleman of that name and sirname that the English wrytters makes mentione of, attempted against the life of the queen; but whether he was of the ancient English extractione or Scottish, I will not take upon me to determine.[2] Neither will I

[1] Note by the late Lord Somerville.—It was the ancestor of William Somerville of Warwickshire, the remains of whose forfeiture was the estate of the said William Somerville, who died in the year 1742.

[2] Note by the late Lord Somerville.—Of the English extraction, and that early after their coming into England, by writings belonging to that family in Lord Somerville's possession.

be positive to assert the contrary, but that the same gentleman might be John Somervill, second sone to Hugh Lord Somervill, for he was bred and brought up a zealous Roman catholicke; and at this very tyme which the English wrytters condescends upon was about the threttieth and third year of his age; and it's very probable if this gentleman, sone to the Lord Somervill, had continued in Scotland, I should have seen some evidences and wryttes wherin his name would have been mentioned; but I have heard nor seen non, except that charter of confirmatione granted to the Laird of Gladstones by Hugh Lord Somervill, wherein this gentleman is designed John Somervill, also our sone. What other children the Lord Somervill and dame Janet Maitlane, his lady, had besyde these, James, John, and Hugh, and three daughters, the Lady Cookpool, the Lady Drummelzeor, and the Lady Carmichaell, I know not. Ther is some affirmes ther was a sone and daughter more, one Richard, named eftir his uncle, Sir Richard Maitlane of Leidingtoune, and a younger daughter, marryed upon Sir James Lindsay of Pittardie; but I have noe evidence of these to confirme the truth of the assertione. Whither Hugh Lord Somervill, or his lady dame Janet Maitlane, dyed first, I cannot be certane; but that

Drawn by W. Wilson.

Engraved by R. Wallis.

FAMILY MONUMENTS

in the old Chapel of Carnwath.

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they both dyed about, or in the year 1550, is evident from wryttes yet extant. They lye interred within the collegiate church of Carnwath, under a handsome monument supporting ther effigies.

Off James Lord Somervill, the Thretteinth Barrone of Lintoune, the tenth of Carnwath, the seventh Lord Somervill, the Seventeinth from Sir Gaulter, and of Red-Bag, the Second Barrone of Cambusnethen.

James, now Lord Somervill, succeeded his father, Lord Hugh, in the year 1550. The estate at this tyme was in a declyneing conditione, because of the great expences and charges the father of this nobleman had been at for his houses keeping; but that which drew the greatest burden upon it was his brethren's patrimonies, and the great portiones given to his sisters, all which had made his father contract debts which he left upon the estate, as did this young nobleman himself dureing his three years imprisonement in England. Soe soon as he returned from that captivitie, in complyance with his father's commands and his oune inclinatione, he adhered 1550.

to the queen's factione, Mary Dowager of Scotland, who, by the governour Hamiltones dimitting in her favoures, was regent and governesse of Scotland, who, with the assistance of the cardinall her counsellor, ordered all affaires in church and state, in oppositione to the Earl of Angus, who, efter King James his death, had returned into Scotland, as did Matthew Earle of Lennox out of France, to be a competitor and counterposer to the house of Hamiltone. He came home, being put in hope by the queen dowager to be made governour; but when he saw himself deluded, and Beatone preferred to the government, he began to make a strong partie against the cardinall and governour, who had not yet dimitted in the queen's favoures; but at lenth, by the cardinalls wylles, he was drawen to a parley, where, finding they had a mynde to intrape him, he flies in the night first to Glasgow, then to Dumbarton, and at last to England; where he was receaved and intertained by King Hendrie the Eight, who gave him his sister daughter by the Earle of Angus to wife. On her he begott Hendrie Lord Darnley, who eftirward was marryed to Queen Mary of Scotland, on whom he begott King James the Sexth. These occurrences, with the Earle of Angus his returne, ther

agreement with the Hamiltones, and the severall factiones of that tyme with the civill broylles that proceeded therupon, are soe fully spocken to by our historians, and the author of the historie of the Douglasses, that I passe them all, but where this nobleman whose memoir I now wryte was particularly concerned; for, as his father, dureing the eight years he lived eftir King James the Fyfths death, had still been of the queen's factione, soe he all the tyme of his life still adhered to the queen mother the dowager, and her daughter, against the lords of the combinatione,[1] and that meerly out of a principle of obedience and loyaltie, (the supreme right being in ther persones) then because of ther religione, albeit it be true he lived and dyed a Roman Catholicke, and was the last of the family of Cowthally of that professione.

This Lord James service and retour I have 1555.
not, nor one paper in my custody makeing mentione of his name, soe that but within these few

[1] How much the author is mistaken concerning the politics of Hugh Lord Somerville, appears from our former notes upon these Memoirs. But it would seem he was right in supposing that his successor James adhered to the party of Queen Mary of Lorraine, since we find him employed as an agent between that princess, when regent, and the Duke of Chatelherault.

years, I was of the opinione, that all the last three lords preceding Lord Gilbert, had been of the name of Hugh, till I was convinced of the contrary by the evidences and wryttes of these gentlemen that held ther lands of the Lord Somervill, particularly by a charter granted to James Somervill of Gladstones, by his father Lord Hugh, wherin, being a witnes, he is designed "James Somervill, son and appearing heir to me the said Lord Somervill:" And in the year 1555, in a charter granted by himself to James Deunie of Westfald, he is designed "James Lord Somervill." But I need not insist upon this, seing it is putt beyond all doubt, by the present Earle of Carnwath's progresse upward to the last Lord John, this lord's uncle, in whose favoures the new infeftment was granted, and the waird holding changed to blenche, by King James the Fourth, in *anno* 1500, wherin this Lord James is reckoned the third from him.

Being marryed very young upon Agnes Hamiltone, daughter to Sir James Hamilton of Finhard, in the year 1540, being then himself about the age of twentieth or twentieth and one, dureing his father's life he had still lived in the tower of Carnwath; but he being dead he removed to Cowthally House. Some three years ef-

tir this, John Somervill, the second laird of Cambusnethen, nicknamed the Laird with the Redbag, dyed. This gentleman had lived from his father's death, Sir John of Quathquan, to his oune, allmost in a perpetual feed with the house of Cowthally, and that by reasone of these lands they held of the Lord Somervill within the barronie of Carnwath; and this feed became eftir him hereditary, both upon that head and another of greater moment, which shall be spocken to eftirwards. However, this gentleman overcame all the troubles of his youth, lived honourably, haveing the happynes to see his sone twice marryed, his eldest daughter honourably matcht, first upon the Lord Fleyming, whose estate this lady heirs, eftirward in her widowhead she marryes the Earle of Rothes, to whom she bore severall children. Her eldest daughter being remarkeable for her beautie, was marryed upon the laird of Lochleven, unto whom she bore seven daughters, who being grandchildren to this lady, wer the wonder of the age wherin they lived, both for vertue and beautie, and other commendable qualities requisite in that sex. Ther worth and excellent perfectione made them admired of all, and sought in by the greatest, being daughters to the laird of Lochleven, ane eminent bar-

rone, predecessor to the present Earle of Mortoune, grand children to the Earle of Rothes, and great grand children to Cambusnethen. The eldest of these ladyes was marryed to the Lord Lindsay, the second to the Earle of Argyle, the third to the Earle of Erroll, the fourth to the Earle of Orknay, the fyfth to the Earle of Atholl Stewart. On whom the other two was marryed I know not; but that there was seven of them is certaine; for they are yet named the Seven Fair Porches of Lochleven. By the former and succeeding marriages the house of Cambusnethen became very remarkeable and strong in friendship, wherby they outwent by farre in friendship and allyance the familie of Cowthally. And now that I may finish all that I have to say of Readbag and his successione, his second daughter was marryed upon the laird of Cleghorne, Lockhart, whose posterity remaines till this day: His youngest daughter marryed the Laird of Westraw, being mother to James Johnstoune of Westerhall, that stout asserter of his chiefes interest, and the Laird of Mainnesses, in whose just quarrelles and his oune defence he committed many slaughters, being one of the famousest border riders in his tyme, of whom I shall discourse further in the succeeding age. This gentleman

Red-bag left a second sone, named William, to whom he gave a fourtie shilling land in the nether toune of Cambusnethen, of whose successione I can say nothing. Thus farre I have digressed to give a full account of the familie of Cambusnethen, so farre as concerned Red-bag, who, dying in the later end of the year 1553, his sone, named the Laird with the Plaides, was served heir to his father att Edinburgh, the fyfteinth day of January, 1554.

Having given this account of the familie of 1558.
Cambusnethen, I returne to James Lord Somervill, who saw much of Read-bag's life, and of his sones, the Laird with the Plaides, with whom, notwithstanding of the fathers animosities and quarrells, he keeped a good correspondency untill a notable accident, neer the later end of ther dayes, brocke all friendship till both of them was in a maner extinct as to ther fortunes and honoures, which shall be declared in its place. In the year 1558, the Lord Somervill was much afflicted with the bad report that he heard of his cousine Alexander Somervill of Trabrax, who haveing dilapidated most of his fortune, wodselt the roume[1] of Trabrax to one Thomas French.

[1] Portion of land.

The Laird of Cambusnethen being superior, as he held the same of the Earle of Douglasse, that roume being a part of the barronie of Dunsyre, Camnethen for a time withstood that right; but by the mediatione of James Lord Somervill, all differences was composed att Cowthally, the twentieth and third of September, 1556; about which tyme this gentleman, Alexander Somervill, by the Lord Somervilles interest with the Bishope of Saint Andrewes,[1] obtaines that service, belie-

[1] James Hamilton, natural brother to the Earl of Arran, archbishop of St Andrews. In 1558, he apprehended and tried Walter Milne, an aged priest, for heretical opinions, and having condemned him in his spiritual court, delivered him over for execution to the temporal arm.

"After this, the bishop condemned him of heresy, and kept him two days; because they could not get a criminal judge to condemn him to death. Then the bishop sent for the provost of the town, being, for the time, bailie of the regality, and desired him to execute him to death, as being condemned of heresy. 'I will (said the provost) do any thing that pertains to my office, according to justice, at your lordship's command: But for the innocent servants of God, and preachers of his word, I will not meddle with them.' The bishop said, 'Provost, you are bailie of my regality, and ought to judge all such as transgress within my bounds.'—'Yes, (replied the provost) and if your lordship please, I will take him, and give him a fair assize of temporal men, who perhaps will absolve him.' 'I am content (said the bishop) you do so, and make me quit of him any way you please.' But some wise men, who were friends to the provost, shewed him that it was perilous to absolve a man condemned of heresy by the clergy already. The provost, con-

ving it might be a mean to preserve the remainder of his brocken fortune; but that unhappy act of condemneing Walter Milne as ane heretick to the fyre, he himself being noe temporall judge for the tyme, but officiouslie intrudeing himself in that office, to ingratiate himself more in his masters favour, lost quyte his oune reputatione in the countrey, the good will of all his friends, particularly his chieffe, the Lord Somervill, who although ther was non more zealous that way, yet he abhorred that rigiditie, and all persecutione upon the account of opinione, especially in him who had no call therto, nor was concerned as a judge in that proces against Walter Milne, who was the last in Scotland that suffered upon

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sidering this, desired the bishop to give him leisure to advise till the morn; which having obtained, the next day, early in the morning, he departed off the town.

"The bishop, being frustrated in this manner, sought up and down a long time for one to be judge, and could find none; till at length he took one of his own court, named Alexander Somervel, a man void of all honesty, religion, or fear of God; who sat in judgement and condemned him to the death. But the merchants, for the love of this poor servant of God, had hid all the tows, and all other things which might serve for his execution. He was burnt on the north side of the Abbey-kirk."—*Pitscottie's History, fol.* p. 200.

[1] On the subject of Walter Milne's execution, the learned

that account.' However, this gentleman Alexander Somervill continued in his service all the tyme of the queen regent's gouernment, untill the year 1560; dureing which time he had gained some money, wherby he redeemed his estate and lived at home in peace, but without any credit or respect either from his ounc friends or strangers. The grand childe of this gentleman having marryed Margaret Somervill, only childe to James Somervill of Spittell, who had been unfortunately killed by some of the Livingstounes in Newbigging, at the opening of his ounc gaitt, for which two of them was hanged by the last Hugh Lord Somervill, this accident falling out in his tyme. The grand childe of this Alexander Somervill of Trabrax, being none of the wysest, contracted much debt in a few years, and then dyed, leaveing his wife a young widow,

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and accurate biographer of John Knox has observed:—"This barbarous and illegal execution produced effects of the greatest importance. It raised the horror of the nation to an incredible pitch; and as it was believed, at that time, that the regent was not accessory to the deed, their indignation was directed wholly against the clergy. Throwing aside all fear, and those restraints which prudence, or a regard to established order, had hitherto imposed on them, the people now assembled openly to join in the reformed worship, and avowed their determination to adhere to it at all hazards."—*Life of John Knox.*

who eftirwards marryed one James Dean, who, by his wife's joynture, and buying some of these debts that was upon the estate, acquyred the propperty to himself and his heirs: How it returned to the house of Cambusnethen I know not; but of late years it was sold by Sir James Somervill to the Laird of Cleghorne, and left by him to his eldest sone of a second marriage, with the house of Correhouse.[1] This gentleman's ordinarie designatione was either of Trabrax or Herperfeild, but more frequently knoune and designed by Commissioner Lockhart.

All the kingdome being in ane consternatione, church and state overturned by popular tumults, the queen regent with the French forces and such of the nobilitie as ouned her interest, made head against the lords of the congregatione; and, to facilitat the way, the queen and court emitted furth a proclamatione, accuseing them of crymes of the highest nature. But the lords was not behind hand with the queen in this matter; for, both by letters to the queen, and open proclamatione to the people, they vindicate them-

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[1] In the Supplement to Douglas's Baronage, George, Laird of Trabrax, is stated to be the fourth son of Allan Lockhart of Cleghorn, by his marriage with Elizabeth, sister to Lord Ross.

selves, how truely I shall not judge ; but this may be asserted from the experience of this countrey, and our late troubles, they did cast the coppie which our presbiterean reformers followed exactly. Ther being soe much of this abroad allready, it wer needlesse for me to light a candle att the twelth hour of the day; they that runnes may read; for these that are blinded by opinion or interest, the clearest sunshine will serve them in noe steed. This businesse at lenth comeing to a tryst, ther was appoynted to meet at Prestoune for the queen, the Duke[1] of Huntley, Areskine, Somervill, and the Abbot of Kilwinning; for the congressione, Argyle, Glencairne, Ruthven, Boyd, and Ohiltree, the Lairds of Doune and Pittardie. This tryst brocke up at that tyme, and ther was nothing done, both parties standing upon ther defence. However, shortly thereftir, upon the queens comeing to Edinburgh and recovering the castle, the former propositione was aggreed unto, and soe remained untill the year 1560. The Lord Somervill receaved advertisement to attend the ensueing parliament that was to sitt in August.

[1] It should be the *Earl* of Huntley.

This year, 1560, being come, and the parliament to sitt for establishing the protestant religione, the Lord Somervill resolved to keep the dyet, albeit he was fullie determined to dissent from the lords of the congressione, as to what concerned any alteratione in religione, and accordingly did soe; for the confessione of faith being read in open parliament, he, with the Earle of Atholl and Lord Borthwick, dissented from that act, saying, they would only believe as ther fathers before them had believed.[1] 1560.

In the year 1567, James Lord Somervill, as a constant adherer to the queen mother, dureing the tyme of her government, soe now her daughter Mary being upon the throne, he was still of her party in oppositione to all them that disturbed her governement; for haveing receaved a letter from the assemblie of the church, that was to sitt upon the twentieth of Jully, 1567, wherin he was desyred to give his personall presence att Edinburgh the forsaid day, for giveing his advyce, councell, and concurrance, in matters there to be proponed, especially for purgeing ther religione from popery, the establishing of the police of the church, and restoreing the patrimonie 1567.

[1] See Knox's History, p. 253.

therof to the just possessores. These generall letters, with the instructiones given to the commissioner that was divided to the lords of the queen's factione, and what expectatione they had is at large to be seen in Spotswood. For the Lord Somervill, he gave a flatt denyall, positively refuseing to meet at the assemblie, or to countenance any of ther proceedings in church or state, soe long as his soveraigne was under restraint; and accordingly he lived att home untill the next year, 1568, upon the third of May that he receaved a letter from the Lord Seatoune, to whose daughter Helenor Seatoune he had lately marryed his eldest sone Hugh, Master of Somervill. The contents of the letter wer, that the queen was escaped from Lochleven, and was now with him at his castle of Nidderie, in West Louthian, her intentione was for Hamiltoune, where her majestie mynded to remaine untill these of her partie conveened. His requeist in his letter to the Lord Somervill was, that as heretofore, soe now his lordship would not be wanting to witnesse his loyalty to the queen. Haveing receaved this advertisement from the Lord Seatoune, wherof he was exceeding glad, the Lord Somervill made all the haste that was possible to conveen his vassalles, followers, and such of his ten-

1568.

nents as was able to bear armes, provyding them in the best maner he could, for the most part horse men, ther armes was only sword, dagger, and lance, pistolles then not being much in use. With this companie upward of three hundered marched upon the tenth of May, 1568, to Hamiltoune, and joined his troupe to the rest of the queen's cavallrie, which, when he had done, he went and kissed her majesties hands, by whom he was graciouslie receaved and kyndelie wellcomed by this princesse, who gained the hearts of all her subjects who had the honour to converse with her,[1] but these only that from the beginning, upon the pretext of her differing in re-

[1] In the following list of the barons whose forces composed Queen Mary's army, at the battle of Langside, he is called *Hew* Lord Somerville:—"The nobillmen that come to the field with the queene were these; Archbald Earle of Argyle, lieutennent; Hew Earle of Eglintoune, Archbald Earle of Cassilis, Andro Earle of Rothus, my Lord Glamis, George Lord Seatoun, Johnne Lord Heres, Hew Lord Somerveill, John Lord Flemyng, Thomas Lord Boyd, my Lord Ross, the Sheriffe of Aire, and Sir James Hamiltoune of Craufuird, Johne Knygthe, to the number of six thousand men or thairby.—The nobles and gentillmen on the regents pairt were James Earle of Mortoune, Alexander Lord Home, Johnne Lord Lindesay, Robert Lord Sempill, Williame Lord Ruthven, Johnne Lord Grahame, Secretarie Lethingtoun, to the number of thrie thousand or sum maire."—*History and Life of King James the Sext*, p. 412.

ligione from them, had a designe both upon her life and croune, as was evident and conspicuous to all that was not possessed with prejudiciall thoughts of that excellent princesse, by ther who, under specious pretexts for religione and libertie, banded the greatest part of her subjects against her, then conveened att Glasgow, under the command of a royall bastard,[1] who, drawing these of his partie, as the queen did her armie, to Langsyde, three dayes eftir the Lord Somervill comeing to Hamiltoune the battle was fought, upon the thretteinth day of May 1568, and the queen's armie wholly defeat, three hundred killed upon the place and many taken prisoners. Her majestie seeing all lost, hastened to the west against the counsell of all her best friends, and shipped att Kirkcudbrugh for England, which in effect at lenth proved her oune ruine, and went neer to have undone all these of her partie; but that they both for ther number and qualitie wer such as the Regent Murray durst not proceed against, especially eftir he had receaved ane advertisement from the Queen of England. Upon this

[1] The celebrated James Stewart, Earl of Murray, created regent by the king's party.

defeat of the royall partie att Langsyde, and the queens quitting of the kingdome, the Lord Somervill haveing escaped from the fight sore wounded in the face by a dagger, and in the thigh by a lance, he reteired home to Cowthally-house, and lived thereftir in peace, notwithstanding that for the most part ther was yet in a maner a civill warre in the countrey betwext the factiones, untill the second year of Mortounes regency, and the delyverie up of the castle of Edinburgh by Grange to the Queen of England's generall, upon the twentieth and nynth of May, 1573, which was three yeares eftir this Lord James Somervilles death. Haveing given ane account of him in soe farre as he was concerned in the publict, I shall now, before I finish his memory, speake to his private concernes.

From the year 1568 to the year 1570, I find nothing of any moment in the Lord Somervilles private affaires, save that noble discovery made by Katharine Murray, Lady Cambusnethen, the maner wherof was this. John Somervill, nicknamed the Laird with the Plaides, the third Laird of Cambusnethen, being marryed upon Katharine Murray, the Laird of Philliphaughes[1] daugh-

[1] This active dame was the daughter of Patrick Murray, of

ter, she being his second lady, as Katharine Carmichaell, the Captaine of Craufuird's daughter, was his first, as formerly I have written in Lord Hugh's memory: This lady finding the barronie of Cambusnethen, and most of her husband's other lands allready heired by a son of his first marriage, named James, and nick-named the Laird with the Velvet-eye,[1] of whom I will have occasione to speake much eftirward. This gentleman being to succeed to all, or most, of his father's fortune, did extremely vex his mother-in-law, and soe much the more that she was mother to many children, wherof ther was four sones; John Patrick, named eftir the Earle of Bothwell; William, named eftir the Laird of Philliphaugh, his grand father; and Thomas, with four daughters. The provisione of their children, by what meanes soever, was all her care, especially John her eldest sone, whom she designed, in the spight of all oppositione, to have Laird of Cambusnethen. In order therto, she endeavoured to

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Falahill and Philiphaugh, the ninth baron, it is said, of that ancient family. Her mother was a daughter of Lord Fleming. —*Douglas' Baronage*, p. 105.

[1] Because he had lost an eye by a musket-shot, as afterwards appears, which was covered with a patch of black velvet.

weaken her step sones esteem with his father, and thereftir caused her husband not only withdraw his countenance from his eldest son and appearing heir, but also all support suitable to his qualitie, yea even necessaries for his body; and it was alleadged by some, ther was a designe against his life; for this gentlemans eye being strucken out by a shott from Camnethen house, it was never yet knoune from what hand it came, however this lady bore the blame therof, and was judged by most to have occasione therto: And really her proceedings and actings eftirward gave too great ground to confirme that suspitione.

Upon her marriage in January, 1552, at the castle of Creichtoune, where she had remained with her uncle the Earle of Bothwell, from the death of King James the Fyfth, whose concubine she had likewayes been, and now marryed upon Camnethen, she was infeft in all his lands of Louthian, Drum, Gillmertoune, and Gutters,[1] as her joynter. These lands being then in the possessione of the house of Cambusnethen, as they had been for three score and ten yeares

[1] Or more properly Good-trees, now called Mardun. This estate would have borne immense value in the present time.

preceeding. Some few yeares eftir this, I find her sone John was put in the fie of these, her sone Patrick had a roume called the Green, att the east end of the nether toune of Cambusnethen. What provisione her other sones had I find not; and, as if all the lands of Louthian had not been a sufficient provisione for her sone John, she retaines her resolutione to make him Laird of Cambusnethen, in prejudice of his eldest brother of the first marriage. Haveing missed the allyance of the Hamiltones, which she thought was the most phesible way to effectuate her designes, being prevented in this by her step sone, who had marryed Margaret Hamiltone, only daughter and heir to Archibald of Raploche, wherby this gentleman had secured that name and familie for his interest, his father-in-law being a great favourite of the Duke of Chattelbroyes, and haveing the Abbot of Kilwinning for his brother, who was a great courtier, and uncle to the lady that he had marryed; this match failling, the Lady Cambusnethen her next care was to secure all the name of Somervill for her and her sones interest; and she knew ther was noe better way to effectuate this then by marrying her sone upon ther chieffes daughter. Haveing fixt upon this resolutione, she had the

confidence to goe to Cowthally, and propone her sone John's marriage with my lord's second daughter, a young lady then about the sexteinth year of her age, who was eftirward marryed to her cousine the Laird of Plain. The reasones upon which this marriage was offered, albeit delyvered by her ladyship in expressiones handsome enough, (being a bred courtier from her youth) was much surprizeing to the Lord Somervill, who, haveing heard her out, desyred to know if she had any warrand from her husband for the offeres made by her, and these she requyred of him. To this her ladyship answeared, she understood her husband's mynde, and came not there to make any such proposalles without his expresse bidding and command. Upon which confident assertione, the Lord Somervill takes asyde Master John Maitlaine his cousine, second sone to Sir Richard Maitlane of Leiddingtoune, and brother to the secretary: This gentleman was but lately returned from his studies and travelles abroad, and haveing as yet attained to noe publict imployment for three or four years eftir, had much of his residence with his cousine James Lord Somervill att Cowthally house.[1] The tymes being very troublesome, and

[1] The author is correct in the fact, though he errs in the in-

the wholl natione allmost in a perpetuall consternatione, it was to this gentleman, that was

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duction. Sir John Maitland, afterwards the chancellor of James I., and created by him Lord Thirlestane, had already made some figure in public affairs, having held the office of Lord Privy Seal, until he was deprived by the predominant faction, who conferred it upon the celebrated George Buchanan. Having adhered to Queen Mary's party, Maitland threw himself into the castle of Edinburgh, which was held out against the Regent Morton, by the gallant Kircaldy of Grange until 1573. At the surrender of the fortress, Maitland was first confined in Tantallon Castle, and afterwards had the house of Cowthally assigned to him as a sort of prison at large, as appears from the following entry from the Acts of Council :—

" Apud Holyrudhouse, 15th of February, 1573.

" Forasmikill as my lord regentis grace has granted libertie to John Maitland, sumtyme Prior of Coldingham, furth of his present ward to remain with Hew Lord Somervell at his house at Couthalie, and twa mylis thereabout, during the will of his soveraign lord and his said regent: therefore George Craufurd of Lochnoris, Francis Douglas of Borg, John Edmonston of that ilk, John Cockburn of Clarkington, younger, are become oblist, and by the tenor hereof binds and oblisses them conjunctlie and severalie, that the said John Maitland sall remain in the company of the said Hew Lord Somervell in his house and within the bounds above written, ey and while he be freed and relievit by our said soveraign lord and his said regent. And also that the said John in the mein tyme, and while his said releif, sall behave himself deutifullie, and sall do nor attempt na thing directly nor indirectlie in hurt of our soveraign lord and regentis authoritie and common weill of the realm; nor sall send letters furth of the realm, or receive letters fra any personis, strangers, or utheris, now being within the same, without he make my lord regentis grace privie thereto, incontinent upon the sending or recaving. And in like manner the

even then beginning to give evident tockens of his great abilities, that the Lord Somervill imparted the Lady Cambusnethen's errand, keeping nothing back of what she had delyvered, and then requyred his advyce. This gentleman haveing considered a litle upon the bussinesse, told his cousine the match indeed was creditable, but the conditione she requyred most dishonourable for him to grant, seing the wronging of a righteous heir was the maine thing designed by that marriage, and to make his lordship, by his power and interest, the principall author and actor therin, which eftirwards might bring a curse upon the marriage, and certane ruine to both

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said cautioners sall enter and present the said John Maitland before the said regent and privy council when they sall be requeirit upon fiveteen days warning, under the pain of ten thousand poundis."

"Mr Maitland continued under his confinement till the fall of the Earl of Morton, who had ever been his enemy, that his confinement was taken off, and an act of councill made thereupon, declaring him 'relivit of his ward, and thereby allowed to resort to any place of the realm at his plesore.' After this he betook himself to the court again, and being a gentleman of excellent parts, and a good proportion of learning, became soon very acceptable to his majesty, insomuch as he was quickly thereafter preferred to be one of the senators of the colledge of justice, the 26th of April, 1581."—Crawfurd's *Lives of the Officers of the Crown and State of Scotland, Edin.* 1726, *fol. vol. I. p.* 142.

the families. However, it was his opinione that ther should be noe absolute refuiseall for the tyme given to the ladye, but rather some hope that that businesse might take effect; and, to confirme her in this beleiff, it was desyred that the next tyme her ladyship mynded to crave about this affair, that all the papers of her husband's estate, especially these concerneing the lands of Mid Louthian, might be brought and viewed, that a way for her sones further security might be considered upon in poynt of law.

With this answear the Lady Camnethen went home weill pleased, supposeing that she had gained her poynt, seing the Lord Somervill had hearkened to a treatie within twentieth dayes thereftir. She returned with most part of her husbands charters and evidences, and more particularly these relateing to the lands of Drum, Gillmertoune, and Gutters, makeing her accompt that if her sone missed the barronie of Cambusnethen, ther was non to contend with him for these; but the proverbe holds true: "It's fair heght that foolles promises." The searcheing of these papers being wholly remitted by the Lord Somervill to the care and inspectione of Master John Maitlane his cousine, this gentleman was two dayes in looking them over, many of them

being papers of great antiquitie, relateing to many lands in severall shirrefdomes, formerly belonging to the Lord Somervill. However, this gentleman, when he had inventared so many of the principall papers as he believed might be necessary as to the affair in hand, by providence he falles upon that gift of nonentry granted to Sir John of Quathquan, the first Laird of Cambusnethen, by King James the Fourth, in *anno* 1498, particularly rehearsed allready to a word in that gentleman's memory. Therefore at this tyme it shall suffice to mentione the clause wherupon James Lord Somervill, and eftir him Hugh Lord Somervill his sone, founded ther summonds of redemptione. The words are these following the grant, (and "ay and whill[1] the righteous heires or heir therof be lawfully entered" therto be us, gif they be in our hands by reasone above written.) This is twice repeated, once in the gift of nonentry, and next in the grant of the absolute right of proppertie, in caice the king as superior had been declyned. Master John Maitlane haveing found this gift, being but short, he takes a double therof, and then turned in the

[1] *i. e.* untill.

principall to the rest of the papers, wherof he had seen and considered the principall of them all, and found that, abstracting from conscience, noe law could carry any considerable part of the Laird of Campnethen's estate from the sone of the first marriage. These being his own thoughts, he acquaintes his cousine therwith. They both resolve to putt off the Lady Cambusnethen with a complement for the tyme, by telling her, that now haveing perused the papers, they would consult with ther lawyers, and take ther advyce how the estate legally might be convoyed to her sone; and, in the mean tyme, the Lord Somervill to tell her ladyship, that she might rest assured that he would comply with her desyre, soe farre as honour and conscience would allow him.

The Lady Cambusnethen could not object much against this answear of the Lord Somervilles, though at first she expected better succesee, and a more quick resolutione as to her sones marriage, then now she looked for from that demurre. Eftir dinner the Lady Cambusnethen haveing clok-baged up again all her papers, takes her leave with many fair promises that her husband would to the outmost of his power condescend to all things that in reasone could be requyred of him relateing to the match:

Which complement being returned by the Lord Somervill, they all take horses, he with his cousine Master Maitlane gave the convoy to my lady for some four mylles, and eftir went to hunting. Dureing ther sport Master Maitlane haveing concealled what he had discovered amongst the papers, soe long as the Lady Cambusnethen was present, he takes now occasione to enquyre at his cousine, if his lordships predecessores had ever any interest in Mid Louthian, and if he knew how they parted with the same. He answeared they had ; and, to the best of his knowledge, the house of Cambusnethen had these amongst many other lands they receaved from his great grand father Lord John, who, upon the account of his sone of the second marriage, went neer to have ruined his familie, by reasone of the great fortune he left unto the sone of that marriage. By this answear Master Maitlane understood that his cousine Lord James was altogither ignorant of the way and maner of the convoyance of Drum, Gillmertoune, and Gutters, from his familie to that of Cambusnethens, and therfore, in a drolling way, he asked his cousine what he would bestow upon that persone that should putt him in a way to recover these lands. My lord smyleing, said, Cousine, the bar-

gane should soon be made if once I saw the man that made the offer. Wherupon Master Maitlane, pulling out the paper, which was the double of King James the Fourth's gift, and delyvers it to my lord, saying, There it is that will effectuat and doe that bussinesse, and seing I am the man that hes made the discovery, I crave noe more but your lordshipes whyte gelding. Hearing this discourse and haveing read the note, the Lord Somervill immediately lights from his horse, and takeing his cousine all in his armes, Here is not only my gelding, but take this, which, in these troublesome tymes, I have still keeped upon me, not knowing what might befall, haveing, as was my duety, syded and taken part with that just interest of my princes, which hes had but bad succesce in the world. That which the Lord Somervill gave with his gelding to his cousine, was a purse, sewed be his mother dame Janet Maitlane, with silke and silver, containeing twentieth of old pieces of gold; and, indeed, it could not be better bestowed then upon her nephew, a brave gentleman, whose great abilities and personall worth eftirward brought him to be the principall officer of state in Scotland.

The Lord Somervill and his cousine leaveing that sport, returnes to Cowthally house, where

haveing refreshed themselves and changed ther horses, the dayes being then long, they immediatly posted to Edinburgh ; and the next day eftir ther arryveall, they caused search the registers, for that gift granted be King James the Fourth to the Laird of Cambusnethen, which at lenth, within a few dayes, was found in the registrationes of the exchecquer bookes, wherof the Lord Somervill took ane authentick double under the clerks hand of that office, and then consultes, his summonds raised and execute against John Somervill, as appearing heir by progresse to Sir John Somervill of Quathquan his grandfather, as also against James Somervill, sone and appearing heir to the said Sir John, and also against Katharine Murray, wife to the said John Somervill of Cambusnethen, and John Somervill, her eldest sone. Both of them wer standing seazed in the lands of Drum, Gillmertoune, and Gutters. This begane that tedious and expensive plea betwext the houses of Cowthally and that of Cambusnethen, for the lands of Louthian, which continued seven years before the decisione, and cost the defender and pursuer more money than these lands wer worth at that tyme, besyde the rancor and feed it bred betwext the families for neer fourtie years thereftir.

1570. This plea begane in the very first year of Lennox regency; for the summonds was execute in the later end of Jully, 1560;[1] and this nobleman, being the king's grandfather, eftir the death of Murray, was choysen regent, by a convention of states holden att Stirling, upon the thretteinth day of Jully, 1570; about which very time the lords of the queen's factione, wherof James Lord Somervill was still one, had appoynted a parliament to sitt att Linlithgow in August thereftir. Soe that the contendings of the nobilitie and principal barrons being divided betwext the queen and the king her sone, keeped the countrey in perpetuall combustione, ther being nothing dureing the remainder of this nobleman's life, which was but some few monethes, and for three years thereftir, but slaughter, burneing, and ruining of houses upon all hands;[2] some tymes

[1] If the writer is here accurate, the discovery he alludes to must have taken place three years before Cowthally was assigned to Maitland as a place of confinement at large. But he might be on a visit to so near a relation, previous to his compulsory abode in his castle.

[2] During this horrible civil conflict, the conquerors on either side shewed no mercy to the vanquished, who were either slain upon their surrendering themselves, or executed next day in cold blood. "And this form of dealing," says a contemporary historian, "was called the Douglas wars."—*Historie of Jame VI., Edin.* 1804, p. 168.

the queen's factione, and then these that pretended to be for the kings interest, prevailing, as their power or pollicie gave them fitting, that ther was noe certanety nor leasure for following furth of justice; and therfore this nobleman left this actione to be prosecuted by his sone Lord Hugh, himself sickning in the year 1570, dyed in the same, leaveing only, to the best of my informatione, but two sones and two daughters, the eldest of whom being hypocondricke eftir her father's death, lived allwayes in Edinburgh, and had ane allowance from the familie by her father's appoyntment. The other daughter was marryed upon the Laird of Plain, a gentleman of her oune name, and the first cadite of the house of Cowthally in the qualitie of a barrone. This lady bore four sones to the Laird of Plain, whose successione remaines to this day as to the males, albeit the lands passed from them in the third generatione from this lady. For his sones, the eldest being named Hugh eftir his grandfather, succeeded to the lordship; the other sone, being named James eftir his father, had some roumes in Carnwath-muir given him for his patrimony. He was a handsome gentleman, but, as it appeares, he hes been non of the frugallist; for he

sold his inheretance to his brother Lord Hugh, or to some other persone, I am not certane. He marryed a daughter of the Laird of Covingtounes, of the sirname of Lindsay, who, besyde other gentlemen, bore to this gentleman Master John Somervill, minister of Ednome, in Tiviotdale, whose eldest son, James, eftir his father and grandfather Lord James, was named a propper youth. Being at the colledge of Edinburgh, he perished in the watter of Leith as he was sweeming. His second sone Robert lives at this present in a good conditione, upon lands purchased by his father Master John in Tiviotdale; this gentleman Robert Somervill, failzieing of heirs male of the house of Drum, is next heir male to the house of Cowthally, as being grandchilde to James, and the only brother of the last Lord Hugh. James Lord Somervill dying, as is allready said, in *anno* 1570, and of his age about fiftieth and three, he was buryed in the colledge yle of Carnwath, within the vault beneath his father and mother's tomb. He was the last lord that was buryed there. His two succes*o*res, sone and grandchilde, being both of them buryed in the quier of Carnwath church. This nobleman's lady, Agnes Hamiltone, lived many

years eftir her husband's death, and then dying was buryed in the same sepulchre with her husband.

Off Hugh, Lord Somervill, the eight Lord Somervill, and the eighteinth from Sir Gualter.

Hugh Lord Somervill succeeded to his father James in the year 1570, or, if wee compt from his being served heir to him, in *anno* 1571. The gentlemen of the inqueist being these, viz. James Lockhart of Lie, William Livingstoune of Jerviswood, John Whytefoord of that ilk, James Chancellor of Crichtoune, Thomas Weir of West Newtoune, Thomas Weir of Halksland, George Weir of Stonebyres, Stephan Lockhart of Weekidshaw, Robert Allane of Corfersrie, James Weir, tutor of Hallrig, Thomas Ingles of East Scheill, Charles M'Ewell of Delvie, and Nicoll M'Ewell, burges of Lenerk. This Lord Hugh, long before his father's death, had been marryed to dame Helenor Seatone, daughter or sister, for I am not certane which of them,[1] to Alex-

[1] She is stated by the genealogists, and by our author himself a little higher, to have been daughter of George, sixth

ander Lord Seatone, with whom he had many children, sexteinth in all, as is reported. Wherof ther came eight to men and women, fyve sones and three daughters, off whom eftirward I treat in order, as I proceed in ther father's memorie.

The proces against the Laird of Cambusnethen for the recoverie of the lands of Louthian, haveing been but slowly prosecuted by Lord James, in regaird of the often interruptione the lords of session had, as the queen's partie came to any head. They at lenth possessing themselves of the toune of Edinburgh, the Earle of Lennox, then regent, (who had been choysen eftir the death of the Earle of Marr,) upon the twentieth
1571. of May, 1571, haveing removed from Léith, where he then lay, towards Stirling, commanded the lords of session to follow and sitt there, for admistratione of justice to the people. This and the affectione Lord James ever had to that factione, made him unwilling to be obleidged to them for any favour, which was the only reasone

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Lord Seton; the brother therefore must have been Robert Lord Seton. There was no Alexander in that family at the period; but a third son of Lord Robert bore that name, and succeeded to the honours of Eglinton.

that he made noe progresse in that persute dureing the three years that he lived, eftir his intenting this lectione. But his sone Lord Hugh, as he differed from his father in religione, (being the first of the familie of Cowthally that was protestant,) soe strook he in with the other factione some few years before his father's death, which displeased him much. However, before his death, he was reconcealled to him, and wished that he and all these noblemen that pretended soe highlie for the prince, might be as faithfull and loyall to him when king, as they had been unduetifull and disrespective to his royall mother, whose partie he had ever ouned and followed dureing the terme of his life, and now repented it nothing at his death.[1]

Lennox being killed att the infall of Stirling, and Mortoune elected regent, the castle of Edinburgh taken, the queen's factione was never able thereftir to make head. These things being of publict concerne, and soe fully spocken to by all our historians both of church and state, I

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[1] There was long preserved in the house of Drum, in Mid-Lothian, an antique chess-board and set of men, presented by Queen Mary to this Lord Somerville, which has unfortunately been lost or stolen.

passe them in nameing them, only with this observe, that James Lord Somervill, the father of this nobleman, saw before his death the extinguishing and dissolutione of that partie he had ever ouned. Mortoune, who had been a principall actor in all these resolutiones, and ever a great enemie to the queen, now being regent, ruled all at his pleasure; and to his great commendatione, eftir soe many stormes, fairlie setled the countrey in peace, and made the session sitt in its ordinar place, and keep ther termes. Hugh Lord Somervill, dureing this calling, was not idle, but played his law suit to purpose, notwithstanding he mett with strong oppositiones from Cambusnethen, who being weill freindsted by his families great allyance; besydes the actione itself was very extraordinary and unusuall, the lyke seldome occurring or in use to come before the lords, and that both for the lenth of tyme that the defender had been in uninterrupted possessione of these lands, his right therto haveing never been questioned before the year 1570, and the nature of the summonds founded upon some few words of a gift in favoures of ane heir, which heir is again excluded in caice his predecessores had disclaimed ther superiors by takeing the same lands holden of ane other lord.

However, Hugh Lord Somervill haveing renued the summonds in his oune name, persewes as heir by progresse to John Lord Somervill, elder brother to Hugh Lord Somervill, his grandfather, the Laird of Cambusnethen, Katharine Murray, his spouse, John Somervill, ther eldest sone, who was infeft in all the lands of Louthian, and James Somervill, sone and heir of the first marriage by Katharine Carmichaell, this gentleman, John Somervill, now of Cambusnethen, who was heir by progresse to Sir John Somervill of Quathquan, alias of Cambusnethen, his grandfather, in whose favours the gift was granted by King James the Fourth in *anno* 1498. It is to be observed, in this summonds Lord Hugh passes by his father Lord James, and his grandfather Lord Hugh, and fixes only upon his grand-uncle, Lord John, and that because it was he that stood last infeft by the king, as heir to his father, William, Barrone of Carnwath, in the lands of Drum, Gillmertoune, and Gutters.

This actione haveing continued from the year 1570 to the year 1577, dureing all that tyme, as it was persewed with much vehemencie by the Lord Somervill, soe was it defended by the lyke obstinacie by Cambusnethen, who employing all his allyaes, which wer not a few, and his lady all

her freinds, which were many, being of the sirname of Murray, and Philliphaughe's eldest daughter, who ouned his sone-in-law much in the persuite of this actione. It's true, her cousine by the mother syde, the Earle of Bothwell, some two years before this persuite began, was foirfaulted, fled the countrey, and quyte ruined, notwithstanding ther was many of that relatione of the sirname of Hepburne ouned her interest besydes these of the fathers, this lady herself being brought up as she was maryed out of her uncle's house, the castle of Crichtoune, when that familie was in its meridiane for greatnesse and honour, in the year 1552, Patrick, then Earle of Bothwell, being as much commended for his noble qualities as his sone Earle James was hated by all men for his nottorious vices and unlimitat ambitione, which at lenth reduced him to the hight of misery, and brought him to end his dayes in a languishing imprisonement. This lady, his cousine, being nobly descended, and one of King James the Fyfth's mistresses, it was the Laird of Cambusnethen's good or bad fortune, as yow please to construct it, to have two of them to his wifes, who did not a litle illustrate [1]

[1] That is, render illustrious, though the propriety of applying the phrase may be doubted.

that familie by ther successione, especially this last Lady Katharine Murray, whose breeding and eloquence was equal to her beautie and handsomenesse, and whose beautie had but few matches in that age, within the natione, if it had not been stained by the calumny of some malitious tongues, that brought her honour in questione even eftir she maryed Cambusnethen, upon noe other ground but because of her freedome of speech and courtly carriage to all persones that honoured her with a visite, or to whom she was pleased to make her addresse, being bred a courtier, and haveing ever frequented the company of persones of the greatest qualitie. Whill in her uncle's house she was accustomed to allow herself greater libertie then suited with the custome of the place where she now was, or yet with the humores of her nighboures, amongst whom she then dwelt, especially in that uncivillized age; and who to this day considers the nature of that people, as to the generalitie of the commones in particular, ther is not a shyre in Scotland soe much guilty of detractione as they, or hes lesse christiane charitie for others, if they differ from them in the least punctilio of custome or opinione as to ther church governe-

ment;[1] and, which truely is hatefull, they are not only medlers in other men's matters, both civill and religious, but would conforme all men's practices and opiniones to the standart of ther whimsies; and, which is ridicolous, they are pleased to assume names and titles to themselves as they fancy, only to differ them from others, which is propper and peculiar to all beleivers within the catholick and universall church. But, waveing this, I returne to the vindicatione of this lady, off whom, by her four daughters, ther is soe many honourable families descended, whose worth in haveing soe vertuous a mother, that provyded soe weill for them, requyred noe lesse at my hands then what I have written, albeit it be true this very lady proved the saddest sight, since the second marriage of John Lord Somervill with the house of Lamingtoune, that ever the house of Cowthally saw; for she in-

[1] It must be remembered that our author wrote in the days of James II. when disputes ran to extremity between those of the established episcopal church, to which he seems to have been sincerely attached, and the presbyterians, whose doctrine was much more popular in Lanarkshire, and generally through the west of Scotland. This may account for his severe diatribe against the love of detraction, which he ascribes to the shire inhabited by his forefathers.

gadged my Lord Somerville's familie in ane expensive and tedious plea, which gave the first ryse to all ther troubles; and noe lesse fatall was she to the house of Cambusnethen; for besyde the debt contracted for mentaineing that very plea against the Lord Somervill, the provisione of her four sones and four daughters went neer to have ruined her step-sone, James Somervill, the laird with the velvet eye, his estate, which he was to succeed to. And yet, notwithstanding this lady left these many sones behind her, the memory of her eldest sone John only remaines, who being putt from the lands of Louthian by the Lord Somervill his decreit, had in lieu therfore the lands of Pederholl, and a roume in the overtoune of Cambusnethen, given him for his patrimony. The fourth from this gentleman is now Master John Somervill, minister of the gospell att Cramond, in Mid-Louthian.

The Lord Somervill had often importuned the 1577.
lords of session for a hearing in the inner house, but was still postponed by the moyane and interest of the Laird of Cambusnethen and the lady. At lenth he was advysed to use this pollicy, by one who knew the temper and avarice of Mortoune, then regent. This gentleman's advice was, that the Lord Somervill should have his

advocats in readynesse, and his proces in forme, against the next day, tymelie in the morning; that he might not be prevented by other solicitores, he should waitt upon the regent in his oune bed-chamber, and informe him that his bussinesse was allready fully debeated and concluded; that only Cambusnethen had given in a petitione of new to the lords craveing that his bussinèss might be heard again in presentia, before ther decerniture, which hitherto, notwithstanding of his bill, he had hindered himself; therefore his desyre should be, that his royal highnesse should be pleased to cause call his actione against Cambusnethen, that soe long had been depending before them. And whatever answear he should receave from the regent, he desyred my Lord Somervill not to be much concerned; but upon his takeing leave, he should draw out his purse, and make as though he intended to give the waitting servants some money, and therupon slip doune his purse, with the gold therin, upon the table, and thereftir make quickly doune staires without takeing notice of any cry that might come eftir him. The Lord Somervill punctually observed this gentleman's directione and advyce in all poyntes; for haveing advysed his businesse the night before with his advocats, and commanded his agents to have all his papers to-

gither against the morrow, for he hoped to bring his bussinesse to a close, being prepared tymelie the next morning with his principall advocate, he was with the regent, and informed him fully of his affair; he gave a signe to his advocat to remove, as though he had something to speak to the regent in private, which, when he observed his advocat to be gone, he takes his leave of the regent, ther being, by good fortune, non in the roume but themselves, two of the regent's pages, and the door-keeper within. It being the custome for noblemen and gentlemen at that tyme allwayes to keep ther money in purses, this the Lord Somervill drawes out as it wer to take out a piece of money to give the door-keeper, and leaves it negligently upon the table. He went quickly doune staires, and took noe notice of the regent's still crying eftir him, "My lord, you have forgott your purse," but went still on untill he came the lenth of the outter porche, now the Duke of Hamiltone's lodgeing, when a gentleman that attended the regent came up, and told him that it was the regent's earnest desyre that his lordship would be pleased to returne and breakfast with him, which accordingly the Lord Somervill did, know-

ing weill that his project had taken effect.[1] About ten a clock the regent went to the house, which was the same which is now the Tolbuith church, in coach. Ther was non with him but the Lord Boyd and the Lord Somervill. This was the second coach that came to Scotland, the first being brought by Alexander Lord Seatone, when Queen Mary came from France. Cambusnethen, by accident, as the coach passed, was standing att Nidderies Wynde head, and haveing inquyred who was in it with the regent, he was answeared, non but the Lord Somervill and the Lord Boyd, upon which he strocke his breast and said, "This day my cause is lost;" and indeed it proved soe; for about eleven hours, the eighteinth day of December, 1577,

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[1] Morton's character was stained by the vices of lust and avarice, which renders this story not improbable. He is said, in a contemporary chronicle, to have hastened the execution of one Cullen, his prisoner, that he might more freely enjoy the favour of his fair wife.—*Historie of James the Sext*, p. 138. And the partial historian of the house of Douglas admits "that many of his publick measures were rather pretexts for extorting money than for any other good use or end. His attendants," continues the same author, "were not altogether void of envie for their great wealth, nor of hatred in regard of the way men thought they got it, which was by receiving and taking bribes from such as had suites to him, for obtaining accesse to him, or his favour, by their means, and some such indirect wayes."—Godscroft, edit. 1644, p. 335.

this actione was called and debeated untill twelve most contentiously by the advocats upon both sydes. The principall for the Lord Somervill was Master John Russell; and for Cambusnethene's advocate and his lady, Master John Sharp. All the defences Cambusnethene's advocats brought in or made use of against the Lord Somerville's summonds of reductione wer only these which the decreitt containes, too tedious here to be insert. However, eftir the debeat was closed, the interloquitor passed in my Lord Somerville's favours, who haveing extracted his decreit the 26th of the same moneth, 1577, he raised letters before the counsell upon three dayes eftir the charge against Cambusnethen, his ladye's sone, and all others contained in the decreit, and that under the paine of rebellione and imprisoneing ther persones in the castle of Edinburgh, they should resigne all titles and rights they had to these lands of Drum, and Gillmertoune, and Gutters any manner of way, in his favoures, quitt ther possessione, and delyver up all the wryttes and charters to him as his oune propper evidences in all tyme comeing. The signett being discharged to passe a suspensione in any of ther favoures against whom the charges was directed. And indeed thir letters

are the severest, being upon noe publict accompt, that ever I did see. The Lord Somervill, that he might lose noe tyme, within two dayes eftir the charge he raises a removeing, dated the 28th of December, 1577. Upon all which proceedings I still find Master John Sharp, advocat for Camnethen, compearing before the lords of counsell. And, upon the 22d of January, 1578, gives in ane ample renuntiatione conforme to the charge subscryved be Cambusnethen, his lady, and ther sones, in favoures of Hugh Lord Somervill, his heirs and assignayes. This renunciatione had been dated att Edinburgh and Cam-
1578. busnethen the 18th and 20th of January, 1578. In May thereftir he procures a charter from the Exchecquer, for infefting himself in Drum, Gillmertoune, and Gutters; and accordingly it's granted by King James the Sexth, upon the eleventh of May, 1578, wherupon Hugh Lord Somervill is infeft in the same moneth. Thus ended that expensive plea betwext the houses of Cowthally and Cambusnethen, eftir seven or eight years debeatt, and these lands of Louthian returned again to the Lord Somervilles, when they had been four score years compleat in the possessione of the familie of Cambusnethen, viz. from the year 1498 to the year 1578, wherin the

Lord Somervill had againe the peaceable possessione. And now I must be allowed to have some observationes upon the wholl progresse of this affair from the beginning.

It was the eldest sone of a second marriage, whill he was wholl tutor and curator to two infants, that by the favour of his prince and the moyane of his brother-in-law, Archibald Earle of Angus, took the advantage of a decreit King James the Fourth had purchased against his pupilles, relateing to these lands of Louthian, whereunto he procures a right, and establishes the same in favours of himself and his heirs for ever, imagineing he had been secured enough, notwithstanding of these few words contained in the gift, relateing to the present Lord Somervill and his heirs, then his pupill, because of the subsequent grant; for he knew very weill William, Barrone of Carnwath, his eldest brother, had committed a grosse errour in disclameing his superior, by takeing these lands holding of the Earle of Monteith, when they held of the king as Earle of Stratherne, whereby he forfaultes the right of proppertie to the king's majestie, in whose power it was to conferre them upon whom he pleased, as he did to Sir John of Quathquan and Cambusnethen, with the former

clause imbodyed in the same grant, which was purposely done by George Gordoune, Earle of Huntley, the great chancellor of Scotland, that the right might be eftirwards quarrelled by the Lord Somervill when he was major; for he suspected Cambusnethen's designe in the drawing of the gift, but had noe will directlie to oppose it for the tyme, Cambusnethen being then much in the king's favoures.

This unhappy gift being the fountaine, and this gentleman the procurer of it to himself and his heirs, instead of his nephew, to whom in right it belonged, that occasioned soe much mischeif and trouble to both the families. My next observe from this proceeding shall be, that it was the lady of a second marriage, and a king's mistress, that in prejudice of the righteous heir of the first marriage gave the discovery and meanes to the true heirs of that Lord John who was highly prejudged by this gift, to get back ther antient inheretance eftir soe long a tract of tyme, when ther was nothing lesse in her thoughts then that either these lands, or any part of Cambusnethenes estate, should belong either to the Lord Somervill, or the undoubted heir of her husband. God makes here the instrument to bring back these lands of Louthian to the house

of Cowthally, and her step-sone James, the Laird with the Velvet Eye, to be absolutely secured in the barronie of Cambusnethen, because of the losse of the former, wherwith she mynded to satisfie the sone of the first marriage, and establish her oune issue in the barronie of Cambusnethen. Thus wee see men and women proposes, but God disposes of present and future continuance according to his pleasure; for if this accident had not occurred by a remarkeable providence, ther had not of these two families, I account them both as one, remained a coatt house, or rig of land, that ever belonged to the Lord Somervill, or the Lairds of Cambusnethen, in proppertie or superioritie of the cadites that came off since the year 1500, but Spittell allenerly, who was the next of a landed gentleman eftir Cambusnethen.'

Hugh Lord Somervill haveing gained what he desyred in the poynt of law, his next care was to put himself in possessione; and in order thereunto, the first of Jully, 1578, he holdes a court

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[1] At the time when the author lived, these lands of Drum were all that remained of the large estates possessed by the baronial house of Somerville, and their powerful descendants and competitors the Lairds of Cambusnethen.

at Gillmertoune, and makes all the tennents of Drum, Gillmertoune, and Gutters, give up ther old tackes, which they had of the Laird of Cambusnethen, and take tackes of himself, which accordingly the tennents did; and this was the first court holden in the Lord Somervilles name, since the year 1499, that Sir John of Quathquan did his nephew and pupil that honour, that albeit he had secured the proppertie of these lands to himself and his heirs, yet he was pleased to fence the court in his nephewes name, John Lord Somervill.

1584. The Earle of Gowrie, in the moneth of Apryle, 1584, being brought in questione for surprizeing of the king, and detaineing his person at Rivan, the twentieth and third of August, 1582, his judgement was found relevant by the persones of jurie, wherof Hugh Lord Somervill was one,[1]

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[1] He was executed for his concern in doing violence to the king's person, by seizing upon him at the enterprize called the Raid of Ruthven. The persons of the jury were "Colen Earl of Argyle, David Earl of Crawford, John Earl of Montross, James Earl of Glencarn, Hugh Earl of Eglington, James Earl of Arran, George Earl of Marshal, Alexander Earl of Seaton, Hugh Lord Sommervil, Hugh Lord Down, William Lord Levingston, Patrick Earl of Drummond, James Lord Ogilvy, Alexander Master of Oliphant, and John Murray of Tullibardin. They retiring themselves, as the custom is, and

being then with the king att Stirling, with whom he returned to Edinburgh, and was present att the parliament conveened the twentieth and second day of May, 1584, wherin his majesties authoritie over all persones in all causes whatsoever was confirmed, with severall other acts in favoures both of the king's majestie and his counsellors, which are mentioned at lenth by Bishope Spotswood. The parliament being brocken up, the Lord Somervill comes to the Drum, accompanyed with his father or his brother-in-law, (for I

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returning within a short space pronounced him guilty, whereupon sentence was given that he should be taken to the market-cross, have his head cut off and be dismembered as a traitor. The last part thereof was dispensed, and he in the evening beheaded. His servants were permitted to take the head with the body and bury it. This was the end of that nobleman, who in his life was much honoured and employed in the chief offices of court: a man wise, but said to have been too curious, and to have consulted with wizzards touching the state of things in future times; yet he was not charged with this; nor seemed he to be touched therewith in his death, which to the judgement of the beholders was very peaceable and quiet. He was heard to make that common regret which many great men have done in such cases, That if he had served God as faithfully as he had done the king, he had not come to that end, but otherwise died patiently, with a contempt of the world, and assurance of mercy at the hands of God."—SPOTTISWOOD's *History of the Church of Scotland, London*, 1677, *fol. p.* 332.

am not certane which of the two he was to him,) Alexander[1] Lord Seatone, and John Millne, the kings master meassone.[2] Haveing pitched upon the place for situatione, they agree with him for building a house, the lenth, breadth, and hight, being condescended upon. The wholl contryveance, with the price, was, by the Lord Somervill and Master Millne, remitted to the Lord Seatoune, he being one of the greatest builders in that age;[3] and at that very tyme had the king's master of worke at Seatoune, building that large quarter of his palace towards the north-east. The

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[1] Robert Lord Seton. See a preceding note.

[2] This family of Milne were for six generations master masons, or architects, to the kings of Scotland. This remarkable circumstance is recorded upon the tomb of John Milne, the great grandson of the person mentioned in the text. The monument is still extant in the Grey Friars church-yard, Edinburgh, and has these lines towards the bottom, besides another inscription in prose and verse:

"Reader, John Milne, who maketh the fourth John,
And by descent from father unto son,
Sixth master-mason to a royal race,
Of seven successive kings, sleeps in this place.

This John Milne died in 1667. In the Abbey burial-ground at Holyrood-House, is buried Robert Milne, the father, I presume, of this John, A. D. 1633.

[3] Robert Milne built the old college of Edinburgh, and several other public buildings, in the reign of James VI.

place of Drum was begune in June, 1584, and finished in October, 1585, in the same forme it is in at present, but one story laigher; it being some years thereftir by ane casuall fyre brunt doune, Hugh Somervill, youngest sone, but then second sone by the death of his brethren, to this Lord Hugh, rebuilt the same, and raised it one storie higher. The roumes are few, but fair and large; the entric and stair-caice extremely ill placed, neither is the outward forme modish, being built all in lenth in forme of a church. It was finished the second tyme, being againe brunt by accident in *anno* 1629; and soe remaines untill this day in the possessione of the first builder's posteritie.

This nobleman, in imitatione of his father-in-law, repaired much of Cowthally house, and made it some what more light, most of the roumes before this being very darke. He likewayes took off the roof from the long gallery, and raised it in hight equall to the two towers wherunto the same gallery joyned, and sclait it all with sclaites. This worke he finished in the year 1586. The building of the house of Drum, and the repairing of the castle of Cowthally, occasioned this lord to contract more debt then what formerly he had putt himself into, by his pleaing

with the house of Cambusnethen. Therefore, in the year 1587, he borrowes from one Gilberts, a goldsmith and jeweller to the queen, ane thousand punds Scots, and wodsett to him the lands of Gutters under redemptione. In May, the same year, eftir this wodset is begun, an actione which tended to his oune, his ladyes and children's disgrace, and was the foirrunner and prognostick of the dissentione that would follow in his familie, to the certane ruine therof, as eftirward fell out, what might be the occasione of that unhappy difference betwext him and his lady, eftir twentieth years cohabitatione, could never certanely be knowne; for he himself never made it appear by any judiciall procedoure or publict act against his lady, farther then by a willfull desertione, condemned by his neerest relationes, and all the world, his sones only excepted, who, as is judged, was not soe cordiall to remove the mistakes that was betwext ther parents, as in nature and conscience they ought to have done; but, upon the contrary, did too much countenance ther father in this imprudent act against ther mother, because ther fortunes depended wholly upon his pleasure, which God in his justice at lenth allmost, if not alltogither, blasted by the sad calamitie in that familie,

which happened efter this unhappy difference fell out. Farther then meer conjecture, by the relatione of these that wer liveing within these few years, (for in writt there is nothing to be found,) could I ever learne what was the true cause of that unhappy separatione, but a simple storie not worth the relateing. However, his lady, dame Hellenor Seatoune, persewes her lord for adherance before the commissioners of Edinburgh; and upon that depending actione raised ane other before the lords of counsell and session, for an aliment conforme to her contract of marriage, which at lenth she obtaines; and the lords by ther decreit ordaines her fourtie shilling each day, untill the decisione of the actione of adherance, or the cohabitatione, from the seventh day of September, 1587, and in all tyme comeing.[1] This decreet was extracted the

[1] The following traces of this action of aliment appear upon the record of the consistorial court:—"23d Feb. 1587. Anent the supplication given in be Deame Helenor Seytoun, agains Hew Lord Somervell, bearand that the sd deame Helenor is repudiat be the sd lord, hir spous, furth of his cumpanie, and yr foir hes intentit actionis of adherence befoir the said comms.; and it is of weritie, that at na tyme sen her expulsion, scho hes had ony expensis to sustene hir self upoun for hir intertenment conforme to her qualitie and estait, and for sustening of hir expenss and chairgis in the said pursute, con-

twelth of August, 1588, and in September thereftir, she serves ane inhibitione upon her husband, arreisted all his rentes in the tennents hands, and did all other legall dilligence to secure herself in law, and compell her lord to pay that modificatione allowed to her by the sentence of the counsell. Thus God, in his secret judgement, haveing a contraversie with the familie of Cowthally, as mynding shortly to depryve it of all its honoures and greatnesse, suffered this breach betwext the husband and the wife; and as the thing itself was hatefull, soe could it not but draw many inconveniences up-

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forme to the sd lord's rentall gevin in be hir in the said caus, subscryvit be his umql. father and frends, as at mair lenth is contenit in the sd supplication; qlk being sene and considderit be the sd comms., they haif ordanit the sd Hew Lord Somervell to content and pay to the said deame Helenor, the sowme of ane hundreth punds money, modifiet be them per modum pensionis, for her expenss and chairgis in the sd caus of adherence persewit be the sd deame Helenor agains the sd Lord Hew hir spous."

"11th June, 1588. The comms. decernis and ordanis Hew Lord Somervell to content and pay to deame Helenor Seytoun Lady Somervell, the sowme of ane hundreth pounds money, modefiet be them per modum pensionis, as for hir expenss in the action and cause of adherence persewit be the said lady against the sd lord."—*From the Record of the Commissary Court of Edinburgh.*

on him, as to the governement of his house, the breeding of his children, the indignatione of his ladyes freinds, who were persones of great honour and of eminent ranke amongst the first of the nobilitie, besides the great expences of plea, which could not but increase his burding exceedingly to what he had contracted by that tedious actione with the house of Cambusnethen, in redeeming the lands of Louthian from them; the consideratione of all which, with the scandell that reflected most upon himself and children, should have detained him from any such practice. But what should I say, when God has a mynde to humble any familie and lay ther glory in the dust, he hes many wayes to doe it by contemptable instruments in humane appearance. A matter of mere moonshine, as is reported, had occasioned all this difference betwext the Lord Somervill and his lady.

The popish lords, wherof the Earles of Huntley, Crawfuird, and Errol, being the principall, haveing made an insurrectione in the north, these three takeing armes, assembled ther forces in the beginning of Apryle, and came to Aberdeen, where they emitted a proclamatione, intimating the king was held captive, and forced 1589.

against his inclinatione to use his nobles rigorously, therefore they requyred all good subjects to concurre with them to sett his persone att libertie. Thus rebellione will not want specious pretextes, civill or religious, to cover ther blackest designes. Upon the king's approach this business was soon over, Huntley and Craufuird declyned to fight for fear the king might be in danger, therefore they dispersed ther forces, and submitted to the king's mercy, which his majesty accepted, without granting any other conditiones but that they should present themselves to justice, which accordingly they did, upon the twentieth and fourth of May, 1589, and wer found all guiltie of the severall indytements, Hugh Lord Somervill being one of assyze.[1] Notwithstanding of this imprisonement, they were all restored to the king's favour.

This year, 1589, in the moneth of Jully, ther falles out a sad accident, as a further warneing that God was displeased with the familie. The

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[1] "Of noblemen and others charged to pass upon their assize, there were present the Lord Hamilton, the Earls of Angus, Morton, Athol, Marre, and Marshall, the Lords Seatoun, Somervil, Dingwell, and Cathcart, the Lairds of Pittarrow, Closburn, Lagg, and the constable of Dundy."—Spottiswood, p. 376.

Lord Somervill haveing come from Cowthally earlie in the morning, in regaird the weather was hott, he had ridden hard to be at the Drum be ten a clock, which haveing done, he laid him doune to rest. The servant, with his two sones, William Master of Somervill, and John his brother, went with the horses to ane shott of land, called the Prety Shott, directly opposite to the front of the house, where ther was some meadow ground for grassing the horses, and willowes to shaddow themselves from the heat. They had not long continued in this place, when the Master of Somervill, eftir some litle rest, awakeing from his sleep, and finding his pistolles that lay hard by him wett with the dew, he began to rub and dry them, when unhappily one of them went off the ratch,[1] being lying upon his knee, and the muzell turned syde-wayes, the ball strocke his brother John directly in the head, and killed him outright, soe that his sorrowful brother never had one word from him, albeit he begged it with many teares. A lamentable caice, and much to be pittied, two brave young gentlemen soe nearly related, and dearly loveing one another,

[1] Ratch, *i. e.* Lock.

who besydes ther being brethren by birth, wer intirely soe in affectione, communicating all ther affaires and designes one to the other, wherin they wer never knoune to differ in the least. Soe soon as they wer men, and came to understand themselves, they constantly attended ther father and advysed him in many things. In this journey they wer very hopefull to reconceall ther parents, and bring them to cohabite togither, ther father being most indulgent and much counselled by them, though he was by nature of a hastie dispositione, and very passionat; but it appeares that it was not the will of heaven; for this unlucky accident marred ther good intentiones.

Ther father hearing the shott, leapt from his (being then in the chamber of dice,[1]) to the south light, and seing his sone and servants all in a cluster, called aloud to know the matter, but receaveing no answear, he suspected some mischeiff, and thereupon flew hastily doune the stair, and went directly towards the place where they wer, which the gentlemen observeing, they advysed the Master to take him to his horse, un-

[1] That is, the state chamber, so called from the *dius*, or state canopy, displayed in it.

till his father's passione and furie should be over, which, at lenth, upon their earnest intreaty, he did, takeing his direct way for Seatoune, where his lady mother then lived by Smeitoune foord. The father being come upon the place, first heares the lamentatione of the servants, and then sees the sad spectacle of his sone all bloody and breathlesse, with his head laid upon a cloack; wheron he falles himself, and cryes aloud, "My sone, my sone, dead or alyve? dead or alyve?" imbracing him all the tyme, which he continued for some space, and thereby giveing opportunity for his eldest sone to escape. Att lenth finding noe motione in his dear sone, all in a furie he aryses, and cryes aloud, "Where is that murderer? who hes done the deed?" stairing wyldelie about, missing the Master, he cryes out, "Oh, heavens, and is it he? must I be bereft of two sones in one day? Yes, it must be soe, and he shall have noe other judge nor executioner but myself and these hands." And with that immediatly mountes his horse, commanding two of his servants to attend him, makeing protestatione in the mean tyme, that they should both goe to the grave togither; but God was more mercifull, for by this tyme the Master was passed Smeitoune foord, and before his father came that lenth he

was at Fallsyde House, out of all danger, being within two mylles of Seatoune. His father comeing to the watter-syde, and hearing his sone had passed by the road he had taken, he understood his sone intended for Seatoune palace,[1] where he was sure to be before it was possible to overtake him: finding, therefore, his further pursuit fruitlesse, comeing now a litle to himself, he begane much to condemne this unwarrantable attempt of his, upon second thoughts. Before he came back, the sad object of his sorrow was removed to the place of Drum, and the corps desently handled by the ladyes of Edmonstoune, Woollmett, and Shireff-hall, neer neighboures;[2] for

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[1] Situated in East-Lothian, near the sea coast.

[2] There is a very striking scene in Webster's fine old play of Villeria Corombona, in which is described the mourning of relations over the corpse of one, who, like this unfortunate young gentleman, had fallen by the hand of his brother.

"*Enter Francisco de Medicis.*

How now? thou art sad.

Francisco de Medicis. I met even now with the most piteous sight.

Flamineo. Thou meet'st another here, a pitiful degraded courtier.

Francisco de Medicis. Your reverend mother
Is grown a very old woman in two hours.
I found them winding of Marcello's corse;
And there is such a solemn melody,

in lesse then ane houre the report went all over the countrey. Yea, before the king rose from dinner he had notice of it, being then in Holly-rude House, with the circumstance of the father's following the other sone with intentione to kill him; for which the king, within three dayes thereftir (the Lord Somervill comeing to waitt upon his majestie) reproved him by saying he was a mad-man; that haveing lost one sone by soe sudden ane accident, should needs will-

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'Tween doleful songs, tears, and sad elegies;
Such as old grandames, watching by the dead,
Were wont to outweare the nights with; that believe me,
They were so o'ercharged with water—

Flamineo. I will see them.

Brachiano. 'Twere much uncharity in you: for your sight
Will add unto their tears.

Flamineo. I will see them,
They are behind the traverse. I'll discover
Their superstitious howling.

Cornelia, the Moor, and three other Ladies discovered winding Marcello's corse. A Song.

Cornelia. This rosemary is wither'd, pray get fresh;
I would have these herbs grow up in his grave,
When I am dead and rotten. Reach the bays,
I'll tie a garland here about his head:
'Twill keep my boy from lightning. This sheet
I have kept this twenty years, and every day
Hallowed it with my prayers; I did not think
He would have wore it."—*The White Devil, act V.*

fully destroy another himself, in whom, as he was certanely informed, ther was nether malice nor designe, but a great misfortune, occasioned by unwarry handleing of the pistoll, which should rather have been a matter of regrate and sorrow to him, that the lyke had happened in his familie, then that he should have sought eftir revenge. Thairefore he commanded him to send for his eldest sone, and be reconcealled with him, for he knew he was a sober youth, and the very thoughts of his misfortune would afflict him enough, albeit he wer not discountenanced by him.

Upon this christian advyce that his majestie was pleased to give, some few dayes thereftir the Master was written for, and admitted to waitt upon his father as formerly, and orders taken judicially to clear him of that slaughter by ane jurie, before whom and justiciares criminall, all the gentlemen and servants that attended upon the Lord Somervill wer sworne, who positively declared upon ther great oath, that neither before nor at the time the slaughter fell out they knew any difference betwext the two brethren, but upon the contrary, the greatest love imaginable, and soe intire friendship that what the one did in ther oune or ther father's affaires, was still

approved off by the other; and further, they made knoune to the judges and assyzers the wholl manner and circumstances of that sorrowfull bussinesse. Upon all which the Master was assollzied, the killing of his brother John being found *homicidium casuale*, as the lawyers terme it, which is when one is killed casually, without either the fault or designe of the killer.[1]

The affair being over, the Master goes west 1590.
with much sorrow both in heart and lookes, forbearing to medle in any bussinesse; and now as formerly, by his affable and obleidgeing carriage he had procured the epithete of the good Master of Somervill, soe from hencefurth he might have been called the Sad and Sorrowfull Brother; for it was observed from the very moment of that unhappy accident untill his death, which fell out about three years thereftir, he never enjoyed a comfortable hour, but was still sad and melancholly. The father returneing home and observing his sone's carriage, was much greived therwith; he used all meanes, both by his ad-

[1] There was a remission granted to this unfortunate gentleman under the great seal, dated in 1587, though, if he was cleared by the verdict of an assize, it seems to have been unnecessary.

vyce and fatherly indullgence, to divert him from the rememberance of what was passed, and could not be remeeded. And for his further encouragement, then promised that he would shortly setle his estate upon him, and provyde him ane honourable marriage, the which as to the first he did; but his sone's death prevented the accomplishment of the second. However, in prosecutione of these affaires, the Lord Somervill, with the Master, comes to Edinburgh in the moneth of January, 1590, and enters in a contract with his sone William, Master of Somervill, dated att Edinburgh, the second day of February, 1590, wherin Hugh Lord Somervill faithfully binds and obleidges himself to infeft and sease the said Master of Somervill, and his heirs male lawfully begotten in all his lordship and barronies of Carnwath, Lintoune, Englishberry, Grainge, and all others his lands with the pertinents, with full power of redeemeing all woodsetts within the said lordship. This contract was subscryved both by the father and sone, day and place before named, and was registrat the fourteinth day of January, the year following, 1591. It was this contract which eftirward brought Gilbert, then Master of Somervill, to the estate, much contrary to his father's inclinatione and

designe, who even at that tyme had noe favour for him, as foirseeing by the bad qualitie he observed in this young gentleman, Gilbert, that he would prove the disgrace of his familie, and the ruiner of his house.

The king's majestie, with his royall consert the queen, eftir ther marriage and some stay in Denmarke, returnes home, arryveing att Leith the twentieth of May, 1590, where, to congratulate his safe and happy arryveall, ther was a great concourse of all rankes and qualities of people, unto whom the king was very gracious; and, upon his comeing from church, gave thankes to the noblemen and counsell for the care they had taken in administratione of affaires and mentaineing the countrey in quyetnesse. In August thereftir, the same year, upon the fourth day, the Generall Assemblie conveines, wherunto the Lord Somervill is cited for holding a market att Carnwath upon the Sabbath. He compeares, and alleadges ane ancient custome and priviledge, granted to him and his predecessores by the kings of Scotland, and confirmed by James the Fourth and Fyfth. Notwithstanding whereof, being threatened with the censure of the church, he condescended that noe market should be holden there any more on the Sabbath. Whether

this was ane weekly market, or one of the two faires that is yearlie, I am not certane, but I inclyne to beleive it was a weekly one that was abolished; and if soe, it had continued ever since the lands was erected in ane barronie, neer three hundred years.

1591. Lord Hugh now growing old, and his affaires in great disorder, by reasone of the difference betwixt him and his lady, he was therefore earnest to have his sone marryed and setled before his death. In order to this he pressed the Master much to search eftir a match both suiteable to his qualitie and honour, and one by whom they might have interest and money to pay off some burdings the estate was lying under, and redeem these lands he had wodsett. In obedience to his father's desyre more nor his oune inclinatione, the Master goes, weill attended, in the moneth of November, in suite of the laird of Drumlandricke's[1] daughter, (a rich and eminent

[1] The representative of the house of Drumlanrick, ancestors of the ducal family of Queensberry, was Sir James Douglas, who succeeded to his father in 1578, and died in 1615. He had two daughters, Janet, afterwards married to William Livingston of Toweswood, and Helen to John Menzies of Castlehill. It does not appear which of these ladies was the object of the Master of Somerville's suit.

barrone in the south, of great command,) where himself and his followers was weill intertained, and the motione kyndelie receaved both by the young lady and her parents, who then promised shortly to be att Edinburgh, and bring the daughter with them, where that affair should be more fully treated by freinds of both sydes, they hoped to the contentment of all parties. This answear satisfying for the tyme, the Master of Somervill haveing remained with his mistres some few dayes att Drumlendricke, he takes leave, and returnes to Cowthally, and gives his father ane accompt of his negotiatione, and what hope ther was his proposealles would take effect, because, for any thing he could observe, they wer thankfully accepted by the parents and freinds of the young lady. His father was extremely joyfull at this report, and promised ther should nothing be wanting upon his part to further the match, but that in all things he would concurre, and grant what conditiones in reasone they should requyre. In the moneth of January, 1591, Drumlendrick comes to toune with his lady and daughter; and shortly eftir them arryves Hugh Lord Somervill, William, Master of Somervill, and Hugh, his youngest brother, a handsome youth, then about the eighteinth year of his age, who haveing putt

themselves in order, and gotten notice where Drumlendrick lodged, the Master went to renew his respects to his mistres, and pay her lady mother a visite. They wer civilly intertained by the mother, and modestly receaved by the daughter. From that tyme furth the Master continued his courting, intirely gaineing her affectione, as he did the favour of all her relationes without any difficulty. And it was noe marvell, for this young nobleman was most accomplished both in body and mynde. I have heard it reported, that Sir James Bannatyne of Newhall, one of the senatores of the colledge of justice, asserted ther was not a propperer youth trode the streets of Edinburgh, nor one of whom ther was greater expectatione then of William, Master of Somervill; but when God designes to ruine a familie, all supportes are removed, that the fall may be the more sudden, as happened in this young nobleman's caice, who efter he was contracted in the later end of February, and should have been marryed in Apryle, 1591, that very moneth he took a feaver which keeped him long, and soe wakened his body that he never recovered, but continued still under a languishing sicknesse for more nor ten monthes. It was supposed the thoughts of his oune great misfortune in killing

of his brother, the disagreement of his parents, the incumberances that was upon the estate, and the prospect he had of ane impudent brother that was to succeed him, which he could not now remedy in the conditione he was in, hastened his death, some ten moneths eftir his sicknesse. He dyed att Cowthally in the moneth of January, 1592, about the twentieth and seventh year of his age, and was buryed in the yle of Carnwath. He left a naturall sone, begotten upon a young woman in the toune of Gillmertoune named eftir himself, William, whose posterity remaines there untill this day. Thus lived and dyed William, the good Master of Somervill; and with him perished all the hope and expectatione of the house of Cowthally. It was noe lesse truely then prophetically spocken in ane homely expressione by a devote gentleman, William Ingles of East Scheill, who was himself, as weill as all his predecessores, great lovers and followers of the Lord Sommervilles, imployed by them for the most pairt as ther baillzie in the barronie of Carnwath,—this aged gentleman, as the corps passed the outter gate of Cowthally, strocke upon his breast and cryed out to the hearing of many, "This day the head is as clean taken off the house of Cowthally, as you would

strike off the head of a sybba;"[1] and indeed it proved soe, for from that day furth all things went crosse; the familie was divyded against itself. What the consequences therof would prove, the oracle of truth hes left it upon record; for here the husband was against the wife in the defencive, and the wife against the husband in persewing for ane aliment again. The father was against the sone, endeavouring to disinherit him; and the sone against the father, mentaineing the rights now established in his persone by the death of his elder brother; and if this had not been enough, and too much, yow might have seen two brothers contending for a half-ruined and sinking estate, both infeft therin by ther father's resignatione, with the reservatione of his oune liferent. A meer Babell of confusione, the lyke hardly to be found in the memories of any familie in Scotland, as to all the circumstances that concurred to the undoeing of this; soe that the preservatione of the same would have been somewhat of a miracle. But I proceed.

1592. Gilbert, now Master of Somervill, keepes fair with his father for some few weekes eftir his brother's death, and prevailled soe farre by the in-

[1] Cibolle. A leek.

tercessione of friends, that his father Lord Hugh, confirmes, by a new obligatione in his favours, the former contract made to his brother William, with this expresse conditione, that if the submissione passed betwext him and his two sones should take noe effect, the same obligatione should be of noe force, as to any purpose or intent whatsoever. This band of corroboratione is dated att Carnwath, the twentieth and second of March, 1592, and was that which the father, eftirward seeking to reduce, therby to establish the wholl estate of Cowthally in the persone of Hugh Somervill of Drum, then his second sone, all his other sones being now dead; and it was from this fountaine that flowed all the rancor and hatred that was betwext the two brethren eftirwards; for Gilbert, finding that he had losed his father by his many wild prankes and imprudent carriage, observeing withall the course his father was takeing to secure all to his brother Hugh, by makeing over to him the wholl right of proppertie by charter and seazing, notwithstanding of the two former contracts, wherupon as yet ther had been noe inhibitione served; but only a base infeftment upon the fathers resignatione in favoures of William Master of Somervill;

and it was upon this consideratione that both Lord Hugh and his second sone thought to have debarred Gilbert from the estate of Somervill; but it would not doe; for Gilbert now seeing ther was no way for him to through his businesse but by marrying with some powerfull familie that would mentaine him in his right, he resolves to do soe; and knowing that he had all the name of Somervill his enemies but the companiones of his extravagancies, he judged it fitt to devyde them, and secure his interest with the name soe farre as was possible. In order to this designe, he goes in suite of Margaret Somervill, eldest daughter to James Somervill, the fourth Laird of Cambusnethen, nicknamed the Laird with the Velvet Eye, upon whom he was marryed in the moneth of Apryle, 1592, ther being litle or no trysting in the businesse, that familie knowing very weill that, besydes the contracts formerly spocken off, the right of successione was in his persone. The consummeating of this marriage hightened his father's displeasure exceedingly, because of the constant and continued animosities that was betwext the house of Cowthally and that of Cambusnethen, in regaird of these lands they possessed in the barronie of Carnwath, and that of Louthian lately recovered from them.

However, Gilbert gained that he mainly intended, and devyded the name of Somervill; for now one might see the one half banding against the other; and syding as ther affectiones and interest led them. The Somervilles of Cambusnethen being of late strongly allyed to the Hamiltones, by ther meanes Gilbert was not only supported in his law suites, but otherwayes in many forcible arguments. Yet, at that tyme, albeit even then King James the Sexth and his counsell was takeing all the wayes imaginable to abolish that barbarous custome which shortly eftir took effect in the Lowlands, by the free executione of the lawes, without hazard of inforcements or bloody slaughters, too frequently committed betwext disagreeing families, or such as wer devyded amongst themselves, as here that of Cowthally and Cambusnethen wer; who, eftir many mischiefes, outrages, and slaughters upon both sydes committed, notwithstanding of all the legall restrictiones and hazard of punishment they might incurre by breaking of the peace, wherunto all of them were strictly tyed by the ordinary law borrowes, the counsells, orders, and his majesties expresse command, yet did they not forbear ther quarrellings untill both parties was allmost ruined, and then they hearkened to

a submissione, which appeares to be of the same date with the contract of corroboration, granted in favoures of Gilbert, Master of Somervill, or else there is ane mistake in the transumpt that I have seen; for the submissione beares date att Carnwath, the twentieth and second of March, 1592, and the contract was of the same date. The submissione was ane year thereftir, accepted by the gentlemens subscryveing att Carnwath, the twentieth and sexth of March, 1593; the decreit arbitrall upon this submissione being pronunced att Edinburgh, the nyneteinth day of Apryle, 1593, and registrat the fourteinth day of June the same year. And now, because this submissione, and the decreit pronunced therupon, nott only widned the difference amongst the parties, but had contrary effects as to the main designe for which it was intended, therefore I conceave it not amisse to insert both in this relatione, for the satisfaction of some gentlemen of the name, in whose hands these narrationes may come, that cannot have a sight of the principall; the tenor of both followes conforme to the registrat extract.

1593. Att Edinburgh, the nyneteinth day of Apryle, the year of God 1593, Wee, Alexander Somervill of Plain, and James Somervill of Humbie,

elder, James Somervill, younger of Humbie, and William Somervill in Blackpool, judges, arbitrators, and amicable composers, equally and commonly choysen by the honourable persons following, viz. Ane noble and potent lord, Hugh Lord Somervill, on the ane part, and Gilbert Master of Somervill, brother and heir of umquhile William Master of Somervill, with advyce and consent of Master Alexander Seatoune, Lord Urquhard, one of the senatores of the colledge of justice, Sir John Seatoune, of Barnes, knight, Sir John Carmichael of that ilk, knight, Sir James Lindsay of Pittardie, knight, and James Somervill, brother germane to the said Hugh Lord Somervill, on the second part, and Hugh Somervill, brother germane to the said Gilbert Master of Somervill, with advyce and consent of the said Hugh Lord Somervill his father, Robert Lord Seatoune, John Lord Thirlestaine, chanceller of this realme, and John Cockburne of Clerkingtoune, to whom the said Hugh was interdyted, on the third part; submitting themselves to us ther said judges, by vertue of ane submissione, upon the back of ane blanke, anent certane actiones debeatable amongst the saids parties, touching the right and title acclamed be the said Hugh Somervill to the lands and liveing of Cow-

thally, and what compositione and satisfactione should be given to the said Hugh Somervill for his renunceing and overgiveing in favoures of the said Gilbert Master of Somervill, and his heirs male, of all right, title, interest, clame of right, actione, and instance qlk the said Hugh hes or otherwayes may have or clame, either be infeftment or otherwayes, to the lands, lordship, and barronies of Carnwath, Lintoune, Inglisberry Grainge, the Eyslat, the ten pund land in Stonefranck, tackes of lands, donationes of kirkes and benefices, with certane other actione specified in the said submissione, referred be the saids parties to us the saids judges to decyde and decerne therintill, and that for the weill standing of the house and liveing of Cowthally to the posteritie to come, excepting and reserveing the lands of Louthian, with the reversiones of the samen to the said Hugh Lord Somervill; and wee the saids judges being often conveened, by vertue of the said submissione, and our acceptatione therof, and foirseeing the weill and standing of the said house and liveing of Cowthally to the posterities to come; and eftir good deliberatione and advysement taken be us theranent, and the rights, reasones, and alleadgeances of all the said parties, and clames given in be them to

us therupon being heard, seen, and considered be us, and wee at lenth therewith rightly advysed; haveing God and a good conscience before our eyes, and for intertaineing of amity amongst the saids parties, being soe tender of blood, in all tyme comeing; wee all, in one voyce, without varyance, with advyce and consent of all the saids parties, decernes and ordaines as followes; in the first wee decerne and ordaine the said Gilbert Master of Somervill to infeft, with advyce and consent of the said Hugh Lord Somervill his father, the said Hugh Somervill his brother above-named in life-rent, for all the dayes of his life-tyme, in all and haill ane anwellrent of fyve hundereth markes usuall money of this realme, to be taken up yearly, at two termes in the year, Whitsunday and Mertines, in winter, be equall portiones, furth of all and haill the lands of Lampels, the lands Woolfuirds, and the lands of Greenaltoune, and every part of the saids lands, with partes and pendicles thereof, lying within the barronie of Carnwath and shirrefdome of Lanerk; to be holden of the said Gilbert Master of Somervill, and his heirs male in free blench, for the payment of ane penny at Whitsunday, upon the ground of the lands, gif it be asked allennerly, with sufficient warrandice to be con-

tained therin as effeires, dureing the said Hugh Somervill his life tyme allennerly; and further, wee decerne and ordaine the said Gilbert Master of Somervill, his heirs and assignayes, to content and pay to the heirs male, laufully to be procreat of the said Hugh Somervill, eftir his decease, and the decease of the said Hugh Lord Somervill his father, the soume of two thousand merkes Scots money, and that in full satisfactione and contentatione of all and haill the right, title, and interest, the said Hugh Somervill may aske, clame, or crave, either be infeftments, tackes, contractes, or otherwayes, in and to the saids lands, and lordship, and barronies of Carnwath, Lintoune, Inglishberry Grange, Eyslat, the ten pund land in Strafrouk, tackes of teynds, assignationes of reversiones, advocationes and donationes of kirkes and benefices of the samen; for the quhilkes causes and compositione forsaid, wee decerne and ordaine the said Hugh Somervill to renunce and overgive in favoures of the said Gilbert Master of Somervill, and his heirs male, all right, title, interest, clame of right, and instance, quhilkes the said Hugh Somervill hes or any wayes may clame or have be infeftments, contracts, or otherwayes, in and to the saids lands, lordships, barronies, tackes of teyndes,

donationes of kirkes, and benefices above written, or any part therof, and to make sicke securities to the said Gilbert Master of Somervill, and his heirs male, of the samen, as law will appoynt, and as can be devysed be the advyce and judgement of men of law; allwayes but hurt and prejudice of the said Hugh Lord Somervill his liferent right therof, specially reserved in the said submissione; and likewayes wee decerne and ordaine the saids Hugh Lord Somervill, and Gilbert Master of Somervill, for intertaineing of unity betwext them, and standing of the house and liveing of Cowthally, to observe, keep, and fullfill to others, but process of law, the contract made betwext the said Lord Somervill and umquhile William Master of Somervill, now transferred in the persone of the said Gilbert Master of Somervill, quilk contract is of the date att Edinburgh, the second day of February, 1590, acted and registrat in the bookes of counsell, and decerned to have the strenth of ane decreit of the lords therof, upon the fourteinth day of January, the year of God 1591; and another contract made betwext the said Hugh Lord Somervill on the ane part, and the said Gilbert Master of Somervill on the other part, of the date att

Carnwath, the twentieth and second day of March, *anno* 1592, in all and sundry poyntes, clauses, and conditiones thereof, contained in the saids two contracts, except in soe farre as the second contract derogates the first; and in speciall, wee decerne and ordaine the said Hugh Lord Somervill to infeft the said Gilbert Master of Somervill, and his heirs male, in all and haill his auld heretage of the lordship of Somervill eftir specified, viz. In all and haill the lands, lordship, and barronie of Carnwath, lying within the shirrefdome of Lanerk, and in all and haill the lands and barronie of Lintoune, lying within the shirrefdome of Roxburgh, with castles, toures, fortalices, orchyairds, yairds, myllnes, annexes, connexes, parts, pendicles, outsettes, tennentes, and tennandries, service of free tennentes, advocationes, donationes, and right of patronage of kirkes and chaplanries of the samen, and all ther pertinents, to be holden off our soveraigne lord and his successores, in fie and heretage, sicklyke and as freely, and in the same manner as the said lord and his predecessores, haves and holdes the samen of before; and sicklyke in all and haill the eight pund land of auld extent of Inglishberry and Grange, quilke the said Lord So-

mervill hes in few and heretage, holden of the commendator of Dryburgh and his successores, lying within the said shirrefdome of Lanerk; and in four oxengate of land of Libbertoune, holden of the parsone of Libbertoune and his successores, to be holden of the immediat superior therof as freelie and in the same manner as the said Lord Somervill haves and holdes the samen of before, be resignatione or confirmatione or otherwayes, in the best and most sure maner can be devysed upon be the said Gilbert, Master of Somervill, his expences, bearing reservatione of the said Lord Somerville's liferent of the same, in lands, lordship, barronies and others forsaids, and that betwext the date heirof, and the twentieth and fourth day of January next to come, in this instant year of God 1593, conforme to the tenor of, and obligatione made be, the said Lord Somervill to the said Gilbert, Master of Somervill, of the date att Carnweth, the twentieth and second day of March, 1593 years, to that effect; and sicklyke, wee decerne and ordaine the said Hugh Lord Somervill to make and constitut the said Gilbert, Master of Somervill, and his heirs male, his cessioners and assignayes, in and to whatsomever reversiones, bands and promises of reversiones made and granted to the said Hugh

Lord Somervill, or his predecessores, for redemptione of whatsomever of any of the forsaids lands, millnes, and others above written, or any part thereof or anwellrents furth of the samen, in sick sure manner as the said Master of Somervill shall devyse, and that betwext and the said twentieth and fourth of June next to come as said is; and decernes the said Lord Somervill to delyver the authentick coppies of the saids reversiones to the said Gilbert, Master of Somervill, and to make the same principall reversiones furthcomeing to him and his heirs male, at what tyme they please cause lawfull redemptione, be vertue therof, but any excuse or delay; and further forsuameickle as be the said submissione it is referred to us the said judges to take good order anent the releiff of the anwellrents aughtand and allotted furth of the saids lands and others above written, as weill of years bygaine unpayed, as in tyme coming dureing the not redemptione therof; wee, aftir good deliberatione, had therintill, with consent of all the saids parties, submitters, decernes, and ordains the saids Lord and Master of Somervill to suffer the profites, commodities, and casualities of the teyndes and kirkes of Carnwath, Libbertoune, and Quathquan, as weill personage as viccarage of the

samen kirkes, swa farre as pertaines therof to the said Hugh Lord Somervill yearly, to be uplifted and intrometted with be Robert Denhame of West Scheilles, William Somervill of Gladstanes, and William Somervill in the Pooll, conjunctly, of ther ounè free will, be themselves, ther servants, substituts, and others in ther names, whom for they shall answear, sell, and dispone therupon yearly to the outter availl; and therewith to releave and pay yearly the said anwellrents, furth of the saids lands and others forsaids to them haveand right therto, as shall be given to them in inventar; and the saids persones intromitters forsaids to be comptable yearly to the said Hugh Lord Somervill, and Gilbert Master of Somervill, therfore; and in caice ther remaine any mair in ther hands nor satisfies the saids anwellrents, wee decerne the superplus therof to be taken and delyvered for payment of the by rune anwellrents, aughtand furth of the saids lands, and that yearly, ay and whill the said haill bygaine anwellrents be satisfyed and payed; and eftir the satisfactione therof, the superplus yearly to be payed to the said Lord Somervill; and in caice the forsaid kirkes and teyndes, swa farre therof as pertaines to the said lord, will not satisfie the yearly anwellrents and

byrunes therof, we decerne and ordaine the said Lord Somervill, off the readyest of his liveing to suffer the forsaids persones to intromett with as meikle therof as will fullfill and compleatly pay the samen anwellrents; and for better performeing of the premisses, we decerne and ordaine the said lord to make his tackes and other rights and securities that he hes to the saids kirkes and teynds furthcomeing to the forsaids persones, to the effect that they may raise inhibitiones therupon, and better to lett the forsaids teynds and duties of the samen kirkes, baith personage and viccarage therof, for performeing of the premises; and this our decreit arbitrall to all and sundry whom it effeires, wee make knoune be thir presents, and for the mair securitie, wee decerne the samen decreit and submissione to be registrat in the bookes of counsell, and have the strenth of ane decreit of the lords interponed therto; and that horning be direct upon ane simple charge of sex dayes allennerly; and for the registrating therof constitutes our undoubted procuratores.

Subscryved be us, day, year, and place forsaid, before thir witnesses, Master Alexander King, advocat, John Dicksone, his servant, and James Borthuick, wrytter; sic subscribitur,

Hugh Lord Somervill, Gilbert, Master of Somervill, Hugh Somervill his brother, Alexander Somervill of Plaine, James Somervill of Humbie, James Somervill younger his sone, William Somervill in the Pooll, with my hand at the pen, led be the nottar under written, Ita est Jacobus Borthwick, notarius publicus, in premissis requisitus testantibus his meis signo et subscriptione manualibus, Alexander Seatoune Lord Urchard, Sir John Seatoune of Barnes, Sir John Carmichaell of Carmichaell, Sir James Lindsay, James Somervill, Robert Lord Seatoune, John Lord Thirlestaine, John Cockburne of Clerkingtoune.

The decreit arbitrall being conceaved in the termes above rehearsed, displeased exceedingly the Lord Somervill and his sone Hugh, who declared the same by protesting against ther procedure, takeing instruments, they had gone beyond what was submitted to them; therefore they protested againe for remedie in law. Much about this tyme, and dureing the continuance of thes unnaturall and unchristiane differences in the house of Cowthally, dyed James Somervill, third Barrone of Cambusnethen, nicknamed the Laird with the Plaides, a gentleman much short of his father and grand-father for actione, either in civill or militarie performances, however for-

tunate in the mannadgement of his privat fortune and estate, and the marriage of his children, especially his daughters of the second marriage, whom he bestowed honourably, the eldest being marryed upon Sir John Skeine of Currie-hill, clerk register, the second upon the Laird of Dunlap, the third upon the Laird of Milltoune, of the sirname of Whytefoord, the fourth upon the Lord Blantyre Stewart. For the sones of this marriage they wer four, John, Goodman[1] of

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[1] Good-man came about the seventeenth century to be applied only to farmers, every landed proprietor assuming the title of Laird, which, at an earlier period, was only applied to barons and great vassals of the crown, under the rank of noblemen.

> When I was born at Middleyard weight,
> There was no word of lord or knight:
> The greatest styles of honour then
> Was to be titled the good-man.
> But changing time hath changed the case,
> And puts a laird in th' goodman's place.
> For why? my gossip good-man John,
> And honest James whom I think on,
> When we did meet whiles at the hawking,
> We used no cringes but hand shaking,
> No bowing, should'ring, gambo-scraping,
> No French whistling or Dutch gaping,
> We had no garments in our land
> But what were spun by th' goodwife's hand.
>
> *The Speech of a Fife Laird*, apud WATSON'S *Collection of Scots Poems, Edin.* 1706, *I.* 28.

Petherholl, Patrick designed of Green, William, and Thomas the youngest, who in his travelles turneing Roman catholicke, became a churchman, and admitted to orders, was at lenth Cardinall of Padua in Italie. For this gentleman's children of the first marriage they wer only three, James, who succeeded to the estate, and Robert, designed Hatton Robert, off whom we will have occasione to discourse more eftirward, in the memorie of Gilbert Master of Somervill, to whom he became a grand tutor, as being his ladye's uncle. For the daughter of this marriage, she was marryed upon Nether Hellies, a fewar or rentaller of the Lord Hamiltones, the gentleman himself being of the same name. Haveing given this account of the house of Cambusnethen, I returne to that of Cowthalleys.

END OF VOLUME I.

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